

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 13 NUMBER 156

Washington, Wednesday, August 11, 1948

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives

[Farm Credit Administration Order 491]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATE ON LOANS

Sections 70.90-53 and 70.90-54 of Title 6 of the Code of Federal Regulations are hereby deleted by consolidating their provisions with revised §§ 70.90 and 70.90-50, and §§ 70.90, 70.90-50, and 70.90-51 are hereby amended to read as follows:

§ 70.90 *Interest rate on continental loans and loans made in Puerto Rico for financing operations.* The per annum rate of interest on all loans, other than upon the security of commodities, made on and after the dates stated below, by the district banks for cooperatives, for the purposes specified in section 7 (a) (1) of the Agricultural Marketing Act, as amended (sec. 7, 46 Stat. 14; 12 U. S. C. 1141e), shall be as follows:

Rate (per cent)	Effective date	District bank for cooperatives
3	Feb. 1, 1948	Spokane.
3	Mar. 1, 1948	New Orleans and Houston.
3	Apr. 1, 1948	Springfield, Baltimore, Columbia, Wichita, and Berkeley.
3	May 1, 1948	St. Paul.
3	July 1, 1948	Louisville and Omaha.
3	Sept. 1, 1948	St. Louis.
3½	Apr. 1, 1948	Baltimore—loans in Puerto Rico.

§ 70.90-50 *Interest rate on continental loans and loans made in Puerto Rico upon the security of commodities.* Except as may be specified in § 70.90-51, the per annum rate of interest on all loans made upon the security of commodities on and after the dates specified below by the district banks for cooperatives for the purposes specified in section 7 (a) (1) of the Agricultural Marketing Act, as amended (sec. 7, 46 Stat. 14; 12 U. S. C. 1141e), shall be as follows:

Rate (per cent)	Effective date	District bank for cooperatives
2¼	Sept. 1, 1948	All district banks.
2½	do.	Baltimore—loans in Puerto Rico.

§ 70.90-51 *Interest rate on continental loans and loans made in Puerto Rico upon the security of Commodity Credit Corporation loan documents.* The rate of interest on loans made on and after the dates stated below, by the district banks for cooperatives upon the security of approved Commodity Credit Corporation loan documents, shall be as follows:

Rate (per cent)	Effective date	District bank for cooperatives
2¼	Sept. 1, 1948	All district banks.
2½	do.	Baltimore—loans in Puerto Rico.

(Sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f)

[SEAL]

I. W. DUGGAN,
Governor.

AUGUST 4, 1948.

[F. R. Doc. 48-7245; Filed, Aug. 10, 1948;
9:06 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

Subchapter C—Regulations Under the Farm Products Inspection Act

PART 51—FRUITS, VEGETABLES, AND OTHER PRODUCTS (GRADING, CERTIFICATION AND STANDARDS)

UNITED STATES STANDARDS FOR FILBERTS IN THE SHELL

On June 3, 1948, a notice of rule making was published in the FEDERAL REGISTER (F. R. Doc. 48-4887; 13 F. R. 2972), regarding proposed United States Standards for Filberts in the Shell. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following United States Standards for Filberts in the Shell are hereby promulgated under the authority contained in the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., approved June 19, 1948).

§ 51.446 *Filberts in the shell—(a) Grade.* (1) U. S. No. 1 shall consist of filberts in the shell which are of similar type, well formed, dry, clean and bright,

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1947.

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free from blanks, broken or split shells, and which are free from damage caused by stain, adhering husks, or other means. The kernels shall be reasonably well developed, not badly misshapen, free from rancidity, decay, mold, insect injury, and free from damage caused by shriveling, discoloration, or other means. In addition, the filberts shall meet the requirements of one of the following sizes as specified for round type and long type varieties:

(i) *Sizes for round type varieties.* (a) Jumbo means filberts which will not pass through a round opening $\frac{59}{64}$ inch in diameter.

(b) Large means filberts which will not pass through a round opening $\frac{59}{64}$ inch in diameter, but will pass through a round opening $\frac{55}{64}$ inch in diameter.

(c) Medium means filberts which will not pass through a round opening $\frac{45}{64}$ inch in diameter, but will pass through a round opening $\frac{50}{64}$ inch in diameter.

(d) Small means filberts which will pass through a round opening $\frac{45}{64}$ inch in diameter.

(ii) *Sizes for long type varieties.* (a) Jumbo means filberts which will not pass through a round opening $\frac{47}{64}$ inch in diameter.

(b) Large means filberts which will not pass through a round opening $\frac{47}{64}$ inch in diameter, but will pass through a round opening $\frac{43}{64}$ inch in diameter.

(c) Medium means filberts which will not pass through a round opening $\frac{34}{64}$ inch in diameter, but will pass through a round opening $\frac{45}{64}$ inch in diameter.

(d) Small means filberts which will pass through a round opening $\frac{35}{64}$ inch in diameter.

(b) *Tolerances.* In order to allow for variations incident to proper grading and handling, the following tolerances shall be permitted:

Ten percent, by count, for filberts which fail to meet the grade require-

ments, other than for type and size; *Provided*, That not more than 5 percent shall be allowed for blanks, and not more than 5 percent shall be allowed for rancid, decayed, or moldy filberts, or those which have insect injury, including not more than 3 percent for insect injury;

Ten percent, by count, for filberts which are of a different type;

Twelve percent, by count, for filberts which fail to meet the size requirements for the size specified, but not more than five-sixths of this amount, or 10 percent shall be allowed for filberts which pass through the smallest opening required for the size specified.

(c) *Application of the tolerances and determination of the grade.* The tolerances for the grade are applied to the entire lot, and a composite sample shall be taken for determining the grade. However, any container or group of containers in which the filberts are found to be materially inferior to those in the majority of the containers shall be considered a separate lot.

In determining the grade of a lot of filberts, all of the nuts in the sample shall first be examined for size and then for external defects. The same nuts are then cracked and examined for internal defects. The nuts must meet both size and quality requirements in order to meet the grade.

(d) *Unclassified.* Lots of filberts which have not been classified in accordance with the foregoing grade shall be designated as "unclassified." The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

(e) *Definitions.* (1) "Similar type" means that the filberts in each container are of the same general type and appearance. For example, nuts of the round type shall not be mixed with those of the long type in the same container.

(2) "Well formed" means that the filberts are not materially misshapen.

(3) "Dry" means that the shell is free from surface moisture and that the shells and kernels combined do not contain more than 10 percent moisture.

(4) "Clean and bright" means that the individual filbert or the lot as a whole is practically free from adhering dirt and other foreign matter and that the shells have characteristic color.

(5) "Blank" means a filbert which contains no kernel or which has a kernel that fills less than one-fourth of the capacity of the shell.

(6) "Damage" means any injury or defect which materially affects the appearance, or edible or shipping quality of the individual filbert or of the lot as a whole. Any one of the following defects or any combination of defects, the seriousness of which exceeds the maximum allowed for any one of these defects shall be considered as damage:

(i) Stains which are very dark and materially affect the appearance of the individual nut.

(ii) Adhering husk, when covering more than 5 percent of the surface in the aggregate.

(iii) Shriveling, when the kernel is materially shrunken, leathery or tough.

(iv) Discoloration, when the appearance of the individual kernel is materially affected by black discoloration.

(7) "Reasonably well developed" means that the kernel fills at least one-half or more of the capacity of the shell.

(8) "Badly misshapen," when the kernel is so malformed that the appearance is materially affected.

(9) "Rancidity" means that the kernel is noticeably rancid to the taste. An oily appearance is not always an indication of rancidity. Unless the nut is noticeably rancid to the taste it shall not be considered as damaged.

(10) "Decay" means that the kernel is putrid or decomposed.

(11) "Moldy" means any visible growth of mold either on the kernel or inside the shell.

(12) "Insect injury" means that the insect or frass is present, or that there is visible evidence of insect damage to the kernel.

(f) *Effective time.* The United States Standards for filberts in the shell contained in this section (which are the first issue) shall become effective 30 days after the date of publication of these standards in the FEDERAL REGISTER. (Pub. Law 712, 80th Cong.)

Issued at Washington, D. C., this 5th day of August 1948.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator,
Production and Marketing Administration.

[F. R. Doc. 48-7226; Filed, Aug. 10, 1948; 8:49 a. m.]

PART 56—DRESSED POULTRY AND DRESSED DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF (INSPECTION AND CERTIFICATION FOR CONDITION AND WHOLESOMENESS)

FORMS AND INSTRUCTIONS

On May 11, 1948, notice of proposed rule making was published in the FEDERAL REGISTER (13 F. R. 2542) regarding the proposed issuance of an amendment of the instructions on sanitary requirements and requirements for equipment and facilities governing plants operating as official plants processing and packaging dressed poultry and edible products thereof (12 F. R. 3804) pursuant to the revised rules and regulations governing the inspection and certification of dressed poultry and dressed domestic rabbits and edible products thereof for condition and wholesomeness (7 CFR and Supps. 56.1 et seq.; 13 F. R. 1, 4181). The purpose of the amendment is to extend coverage of instructions to plants where domestic rabbits and edible products thereof are packed or handled under inspection; authorize the national supervisor to grant exceptions; clarify the separation of official plants from other plants; and amend the present instructions for drawings and specifications. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, and pursuant to the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong.), and by virtue of the authority vested in the Assistant Administrator by the Secretary of

Agriculture, it is hereby prescribed and promulgated that, on and after 30 days from the date of publication of this document in the FEDERAL REGISTER, the aforesaid instructions on sanitary requirements and requirements for equipment and facilities governing plants operating as official plants processing and packaging dressed poultry and edible products thereof be amended as hereinafter set forth:

1. Delete the heading of § 56.101 and substitute therefor the following:

§ 56.101 Instructions on sanitary requirements and requirements for equipment and facilities governing plants operating as official plants processing and packaging dressed poultry and dressed domestic rabbits and edible products thereof.

2. Delete paragraphs (c) to (i), inclusive, of § 56.101 (12 F. R. 3802) and substitute therefor the following:

(c) *Drawings and specifications to be furnished in advance of construction.*

(1) Copies of drawings, consisting of floor plans of space to be included in the official plant showing the location of such features as the principal pieces of equipment, floor drains, and the routes of edible and inedible products to and from the eviscerating department, shall be submitted to the regional supervisor before an application for inspection is approved.

(2) The drawings should be prepared to scale, preferably $\frac{1}{4}$ inch a foot, and should show toilet and dressing rooms, store rooms, inspector's office, inedible product departments, rooms where edible products will be handled or kept, and any other rooms or compartments which will be included in the official plant. If rooms or compartments shown on the drawings are not to be included as a part of the official plant, this shall be clearly indicated thereon. Approval of the drawings should be obtained from the regional supervisor in advance of construction or remodeling.

(3) Specifications covering the height of the ceilings, character of the floors, walls and ceilings, lighting and such other notations as the regional supervisor may require shall accompany the drawings.

(d) *Final survey.* Prior to the inauguration of inspection, a final survey of the plant and premises shall be made by the regional supervisor, or his assistant, to determine if the building has been constructed and facilities have been installed in accordance with the approved drawings and with the sanitary requirements contained in the instructions in this section. Sanitary requirements not specifically covered by the instructions in this section shall be left to the national supervisor or his assistant.

(e) *Separation of official plants from other plants.* No connecting doorways, windows, stairways, elevators, or passageways shall be permitted between an official plant and any other plant or other part of a building where eviscerated or partially eviscerated poultry or domestic rabbits, or products thereof are handled or kept unless otherwise provided or approved by the national supervisor.

(f) *Sanitary requirements.* Each official plant shall be maintained in sani-

tary condition, and to this end the requirements of subparagraphs (1) to (7), inclusive, of this paragraph shall be met.

(1) There shall be abundant light, either natural or artificial, or both, of good quality and well distributed, and sufficient ventilation for all rooms and compartments to insure sanitary conditions.

(2) There shall be an efficient drainage and plumbing system for the plant and premises, and all drains and gutters shall be properly installed with approved traps and vents.

(3) The water supply shall be ample, clean and potable, with adequate facilities for its distribution in the plant and its protection against contamination and pollution. Every official plant shall make known, and whenever required shall afford opportunity for inspection of, the source of its water supply, the storage facilities, and the distribution system.

(4) The floors, walls, ceilings, partitions, posts, doors and other parts of all structures shall be of such materials, construction and finish as will make them susceptible of being readily and thoroughly cleaned. The floors shall be kept watertight. The rooms and compartments used for edible products shall be separate and distinct from those used for inedible products, and from rooms where poultry is slaughtered and plucked, or where rabbits are slaughtered and skinned. However, passageways or elevators which are used for edible products may also be used for the movement, in suitable containers, of inedible products from the official plant. When such inedible products are taken from an inedible product department, they shall be removed from the official plant without delay.

(5) The rooms and compartments in which any edible product is prepared or handled shall be free from dust and from odors from dressing and toilet rooms, catch basins, inedible tank and fertilizer rooms, and from any rooms or places in the vicinity of the official plant.

(6) Every practicable precaution shall be taken to exclude flies, rats, mice, and other vermin from official plants. The use of poisons for any purpose in rooms or compartments where unpacked product is stored or handled is forbidden except under such restrictions and precautions as the national supervisor may prescribe. The use of bait poisons in inedible compartments, outbuildings, or similar places, or in storerooms containing canned or tierced products is not forbidden but only those approved by the national supervisor may be used. So-called rat viruses shall not be used in any part of an official plant or the premises thereof. Equipment or substances which generate gases or odors shall not be used except as specifically permitted by the national supervisor.

(7) Dogs and cats shall be excluded from official plants.

(g) *Facilities and accommodations.* The following minimum sanitary facilities and accommodations shall be furnished by every official plant:

(1) Dressing rooms, toilet rooms, and urinals shall be sufficient in number, ample in size, and conveniently located. They shall be properly ventilated and meet all requirements as to sanitary con-

struction and equipment. They shall be separate from the rooms and compartments in which products are prepared, stored, or handled.

(2) Modern lavatory accommodations, including running hot and cold water, soap and towels. These shall be placed in or near toilet and urinal rooms and also at such other places in the establishment as may be essential to assure cleanliness of all persons handling product.

(3) Toilet soil lines shall be separate from house drainage lines to a point outside the buildings; and drainage from toilet bowls and urinals shall not be discharged into a grease catchbasin.

(4) Properly located facilities for cleansing and disinfecting utensils and hands of all persons handling any product.

(h) *Inspector's office.* Furnished office room, including light, heat, and janitor service, shall be provided by official plants, rent free, for the exclusive use for official purposes of the inspector and other division employees assigned thereto. The room or rooms set apart for this purpose shall meet with the approval of the regional supervisor and shall be conveniently located, properly ventilated, and provided with lockers suitable for the protection and storage of supplies and with facilities suitable for inspectors to change clothing.

(i) *Equipment and utensils.* (1) Equipment and utensils used for preparing, processing, or otherwise handling any product in an official plant shall be of such materials and construction as will make them susceptible of being readily and thoroughly cleaned and such as will insure strict cleanliness in the preparation and handling of all products. So far as is practicable, such equipment shall be made of metal or other impervious material. Trucks and receptacles used for inedible products shall be of similar construction and shall bear some conspicuous and distinctive mark, and shall not be used for handling edible products.

(2) Equipment and utensils used in an official plant may not be used outside the official plant, excepting under such conditions as may be prescribed or approved by the national supervisor.

(3) Tables, and other equipment on which inspection is performed, shall be of such design, material and construction as to enable inspectors to conduct their inspection in a ready, efficient and cleanly manner.

(4) Official plants shall provide watertight trucks or receptacles for holding and handling diseased carcasses and parts, so constructed as to be readily cleaned; such trucks or receptacles to be marked in a conspicuous manner with the words "U. S. condemned" in letters not less than 2 inches high and, when required by the regional supervisor, to be equipped with facilities for locking or sealing.

(5) Official plants shall provide suitable lockers in which brands and stamps bearing the inspection legend shall be kept when not in use. All such lockers shall be equipped with locks, the keys of which shall not leave the custody of the inspector in charge of the plant.

3. Delete the heading of paragraph (j) of § 56.101 and substitute therefor the following: "Operations and procedures in an official plant."
(Pub. Law 712, 80th Cong.)

Issued at Washington, D. C., this 5th day of August 1948.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-7229; Filed, Aug. 10, 1948;
8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. ER-130]

PART 292—CLASSIFICATIONS AND EXEMPTIONS

IRREGULAR AIR CARRIERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 6th day of August 1948.

Section 292.1 (d) now prohibits operation as an Irregular Air Carrier without a Letter of Registration issued by the Board (subparagraph (1)) and stipulates the conditions under which such a Letter will be issued (subparagraph (2)). The purpose of this regulation is to amend subparagraph (2) to provide that a Letter of Registration will not be issued by the Board to any Large Irregular Carrier in response to any application therefor filed after 11:00 a. m. (eastern daylight time) August 6, 1948.

Section 292.1 was adopted on May 5, 1947, after notice and hearing and a finding by the Board that "there is a public demand and need at the present time for air services on an irregular basis both to certificated and non-certificated points." As of August 5, 1948, there had been issued 147 Letters of Registration to Large Irregular Carriers, of which 109 are presently in effect.

It now appears to the Board that the number of Large Irregular Carriers holding Letters of Registration is sufficient to satisfy the demand for irregular air service referred to above, and that further service of the type offered by Large Irregular Carriers should be authorized only after a full consideration by the Board of the facts in each case. For this reason, there does not appear to be any further public interest in the issuance of additional authorizations to engage in air transportation as Large Irregular Carriers pursuant to Letters of Registration.

Such action will not affect existing Large Irregular Carriers nor will it deprive any person who has heretofore filed an application for a Letter of Registration of any rights. Other persons desiring to engage in air transportation of the type performed by Large Irregular Carriers, may file an application for authority therefor under the existing provisions of the Civil Aeronautics Act of 1938, as amended.

Because any postponement or delay in the effective date of this amendment would defeat its purpose, notice and public procedure are contrary to the public interest and the Board finds that good cause exists for making this amendment effective immediately.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 292 of the Economic Regulations (14 CFR Part 292, as amended) effective August 6, 1948.

1. By amending § 292.1, paragraph (d) (2) to read as follows:

(2) *Issuance of Letter of Registration.* (i) Except as provided in subdivision (ii) of this subparagraph, upon the filing of proper application therefor, the Board shall issue, to any Irregular Air Carrier, a Letter of Registration which, unless otherwise sooner rendered ineffective, shall expire and be of no further force and effect, upon a finding by the Board that enforcement of the provisions of section 401 (from which exemption is provided in this section) would be in the public interest and would no longer be an undue burden on such Irregular Air Carrier or Class of Irregular Air Carriers. Such application shall be certified to by a responsible official of such carrier as being correct, and shall contain the following information: (a) Date; (b) name of carrier; (c) mailing address; (d) location of principal operating base; (e) if a corporation, the place of incorporation, the name and citizenship of officers and directors and a statement that at least 75 per centum of the voting interest is owned or controlled by persons who are citizens of the United States or of one of its possessions; (f) if an individual or partnership, the name and citizenship of owners or partners; (g) the types and numbers of each type of aircraft utilized in air transportation. Such application shall be submitted in duplicate in letter form or on C. A. B. Form No. 2789 which is available on request for the convenience of applicants.

(ii) The Board will not issue a Letter of Registration to any Large Irregular Carrier except in response to applications therefor which are received for filing by the Secretary of the Board, on or before 11:00 a. m. (eastern daylight time) August 6, 1948.

(Secs. 205 (a), 416 (b), 52 Stat. 984, 1004; 49 U. S. C. 425 (a), 496 (b))

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-7244; Filed, Aug. 10, 1948;
8:57 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. OR 17]

PART 1—FUNCTIONS AND ORGANIZATION MISCELLANEOUS AMENDMENTS

Under authority contained in R. S. 161 (5 U. S. C. 22), and pursuant to section 3 of the Administrative Procedure Act of 1946 (60 Stat. 238), Title 22, Part 1, of the Code of Federal Regulations is amended as follows:

1. Section 1.110 is revised to read as follows:

§ 1.110 *Under Secretary of State—*
(a) *Purpose.* To advise and assist the Secretary in the formulation, determina-

tion, and execution of United States foreign policy.

(b) *Major functions.* The Under Secretary:

(1) Serves as the Secretary's principal adviser and as Acting Secretary of State during his absence.

(2) Assists in providing policy direction to the American delegations to the United Nations and its affiliated agencies.

(3) Assists in directing the execution of policy-determinations affecting international conferences, congresses, and committees in their consideration of methods whereby groups of nations may carry on activities cooperatively.

(4) Assists in directing the Department's relationships with Congress in obtaining support of our foreign policy.

(5) Through a coordinator for Foreign Aid and Assistance, directs the coordination of departmental planning and operations on foreign aid and assistance programs administered by the Economic Cooperation Administration or the Department of State.

(c) *Organization.* The Under Secretary is assisted by the Policy Planning Staff.

2. Section 1.130 is revoked.

3. Sections 1.200, 1.300 and 1.310 are revised to read as follows:

§ 1.200 *Assistant secretary; occupied areas—*(a) *Purpose.* To advise and assist the Secretary in the coordination of State Department policies and the formulation of United States foreign policy with respect to the occupation and government of occupied areas, to arms and armaments, to refugees and displaced persons; and to questions coming before the Far Eastern Commission.

(b) *Major functions.* The office of the Assistant Secretary is responsible for the performance of the following functions:

(1) Coordinates the development of United States policy for public administration in occupied areas, which includes Control Council organization, civil-government administration, laws and courts, communications, public information, religion, education, and fine arts.

(2) Coordinates the development of United States disarmament and security policy in occupied areas, which includes disarmament, demilitarization, reparations, internal and external restitution, external assets, decentralization, decartelization, property-control, denazification, and war crimes.

(3) Coordinates the development of United States policy for standards of living and economic matters in the occupied areas.

(4) Coordinates the development of United States policy for financial matters in the occupied areas, which includes valuation of currency, exchange rates, taxation, and budgetary matters.

(5) Coordinates and expedites development of United States policy for arms and armament.

(6) Coordinates the development of policy with respect to the political-military problems of the State, Army, Navy, and Air Force Departments.

(7) Formulates United States policy and coordinates action with respect to refugees and displaced persons.

(8) Provides State Department representation on the State-Army-Navy-Air Force Coordinating Committee.

(c) *Organization.* The office of the Assistant Secretary has no large organization, having no large staff of its own, but depends chiefly upon the personnel and facilities of other offices of the Department for the accomplishment of its functions.

(d) *Relationships with other agencies.* The Assistant Secretary:

(1) Maintains close relationship with the Army, Navy, and Air Force Departments.

(2) Advises with the Departments of Agriculture, Commerce, Labor, and Treasury through the Advisory Committee.

§ 1.300 *Special Assistant for Research and Intelligence (ranks with Assistant Secretaries)*—(a) *Purpose.* To advise and assist the Secretary of State in the field of foreign intelligence, and to formulate and execute a Departmental program to provide the foreign intelligence required by him in conducting foreign relations and safeguarding national security.

(b) *Major functions.* The Special Assistant performs the following functions:

(1) Advises and assists the Secretary in the development and implementation of a comprehensive and coordinated foreign-intelligence program for the United States.

(2) Develops and implements a coordinated program for positive foreign intelligence for the Department, including the procurement of the requisite information and materials and the production of the intelligence studies and spot intelligence pertinent to the formulation and execution of foreign policy.

(3) Initiates and, in collaboration with the appropriate geographic, functional, and administrative offices, develops such instructions to the field as may be required by the Departmental and national intelligence programs.

(4) Determines which of the information and materials flowing into the Department are required for the production of timely intelligence.

(5) In consultation with the Assistant Secretary—Administration, adopts such special security measures within the intelligence organization, in addition to Departmental security regulations, as in his judgment may be required by the nature of the work.

(6) Serves as representative of the Secretary on the Intelligence Advisory Committee (which advises the Director of Central Intelligence) and other inter-agency intelligence committees.

(c) *Organization.* The office of the Special Assistant includes such advisers, assistants, and appurtenant staff as may be necessary; a Special Project Staff to serve appropriate officials of the Department with intelligence from interdepartmental sources and to represent the Department on groups responsible for such sources; the Department's complement of personnel for duty with the Central Intelligence Agency; the Office of Intelligence Research; and the Office of Libraries and Intelligence-Acquisition.

(d) *Relationships with other agencies.* The Special Assistant has relationship:

(1) With the Departments of the Army, Navy, and Air Force, and the Central Intelligence Agency.

(2) With non-Federal organizations and individuals.

§ 1.310 *Office of Intelligence Research*—(a) *Purpose.* Under the general direction of the Special Assistant for Research and Intelligence, to plan, develop, and implement an integrated intelligence-research program for the Department, and to coordinate it with those of other Federal agencies so that the Department will be provided with the intelligence concerning foreign countries necessary for the formulation and execution of United States foreign policy and so that the Security Council and Central Intelligence Agency will be provided with studies pertinent to the national security.

(b) *Major functions.* The Office performs the following functions:

(1) Plans and implements a Departmental intelligence research program, including:

(i) Planning and coordinating regional and functional research programs, and organizing task groups as required for research projects;

(ii) Establishing priorities for individual research projects, and compiling and circulating periodic reports on the current status of Departmental intelligence projects;

(iii) Reviewing all intelligence research reports and disseminating finished reports;

(iv) Promoting continuous, close, and informal relationships between its constituent divisions and officials of the geographic, functional, and other offices of the Department, to encourage the exchange of information and to provide them with immediate and timely intelligence required for their operations.

(2) Provides positive intelligence research in regional and functional fields of study, and prepares or participates in the preparation of intelligence studies and spot intelligence for authorized recipients in the Department, the Central Intelligence Agency, and other Federal agencies.

(3) Develops, with the cooperation and consent of other offices engaged in research of any character, a joint program for the exchange of information, acceptance of common standards, sharing of facilities, issuance of joint progress reports, and coordination of research work throughout the Department.

(4) Provides, through the Special Adviser on Geography, consultation and advice to the Department and other Federal agencies on geography and related matters.

(5) Arranges for the utilization of pertinent research facilities of other Federal agencies and non-Federal organizations.

(c) *Organization.* The Office consists of the office of the Executive Officer; Intelligence Coordination Staff, which performs the functions of planning, reviewing, and controlling projects; office of the Special Adviser on Geography; Division of Research for American Re-

publics; Division of Research for Europe; Division of Research for Far East; Division of Research for Near East and Africa; and Division of International and Functional Intelligence.

(d) *Relationships with other agencies.* The Office has relationship:

(1) With the Departments of the Army, Navy, and Air Force, the Central Intelligence Agency, and other Federal agencies as may be required.

(2) With non-Federal organizations and individuals.

4. Section 1.320 *Office of Libraries and Intelligence; acquisition* is deleted. This section is in process of complete reorganization.

5. Sections 1.400, 1.402, 1.420 are revised to read as follows:

§ 1.400 *Assistant Secretary; Public Affairs*—(a) *Purpose.* To advise and assist the Secretary in the development and implementation of United States foreign policy with respect to programs for international information and educational exchange and to domestic programs designed to inform the American public concerning foreign relations.

(b) *Major functions.* The Assistant Secretary, in coordinating and supervising the activities of the Offices under his supervision, performs the following functions:

(1) Plans and develops the information and educational exchange policies of the Department.

(2) Directs the relations of the Department of State with other Federal agencies on all matters of international information and educational exchange policies.

(3) Stimulates and facilitates the activities of public and private information and educational exchange agencies in the foreign field, and services domestic private and public agencies as they deal with foreign relations.

(4) Under the auspices of the office of the Counselor, maintains liaison with the Congress with respect to the programs under his jurisdiction.

(5) Insures the effective execution of field and departmental reporting, as well as the preparation of necessary reports for the Secretary, the Congress, and the general public.

(6) Insures that the programs and policies recommended by the United States Advisory Commissions on Information and Educational Exchange are considered in the development and execution of the international information and educational exchange programs; insures that the responsibilities of the Secretary are discharged with respect to the United States National Commission for UNESCO, the Board of Foreign Scholarships, and other advisory groups.

(c) *Organization.* The Assistant Secretary, assisted by the Public Affairs Overseas Program Staff, directs the work of the UNESCO Relations Staff, Office of Public Affairs, Office of International Information, and Office of Educational Exchange.

(1) The Deputy Assistant Secretary is authorized to take all necessary action relating to international programs for information and educational exchange and to domestic programs designed to

inform the American people concerning foreign relations.

(i) Such delegation of authority does not extend to any duties of functions which, under existing law, can only be exercised by the Secretary of State or by an Assistant Secretary in his behalf. In the absence of the Assistant Secretary—Public Affairs, such duties are performed by the Assistant Secretary—Political Affairs, or, in his absence, the Assistant Secretary—Economic Affairs.

(ii) Such delegation of authority is exercised under the general direction and control of the Assistant Secretary—Public Affairs, or in his absence, the Secretary of State.

(iii) Such delegation of authority does not affect any delegation of authority to any subordinate officials below the rank of Assistant Secretary of State.

(d) *Relationships with other agencies.* The Assistant Secretary serves as:

(1) Chairman of the Interdepartmental Committee on Scientific and Cultural Cooperation.

(2) Member of the Board of Directors of the Institute of Inter-American Affairs.

§ 1.402 *Public Affairs Overseas Program Staff*—(a) *Purpose.* To assist the Assistant Secretary—Public Affairs in coordinating the programs and administration of the Offices of International Information and Educational Exchange; to assure the development, within the Department of long-range policy and program objectives and guidance that will serve as a framework for current policy decisions and program implementation in the operation of information and educational exchange programs.

(b) *Major functions.* (1) Coordinates the formulation of objectives and guidance with respect to the operation of the Department information and educational exchange programs in specific regions, sub-regions, and countries abroad.

(2) Anticipates problems which the Department may encounter in its general operation of the information and educational exchange programs.

(3) Analyzes appropriate coordinated intelligence and classified information necessary to the discharge of the responsibilities stated in subparagraphs (1) and (2) of this paragraph.

(4) Subject to the authority of the Assistant Secretary for Public Affairs, on the basis of specialized regional knowledge and studies, and with respect to areas other than Germany, Austria, Japan, and Korea:

(i) Ensures that the information and educational exchange programs conform to the over-all policies and objectives of the Department.

(ii) Recommends to the Assistant Secretary and to the Directors of Office of International Information and Office of Educational Exchange, specific action in the information and cultural field to meet the problems raised by world-wide political, economic, and psychological developments.

(iii) Is responsible for carrying on discussions concerning the over-all policy aspects of the information and educational exchange programs overseas with other offices of the Department.

(iv) Determines priorities for each geographic area and for each of the media in that area.

(v) Gives guidance to the Office of International Information and Office of Educational Exchange, to insure that the information and educational exchange activities in the United States and abroad are treated as a total program working toward a stated objective.

(vi) Reviews and evaluates the output of the divisions of the Office of International Information and Office of Educational Exchange and the over-all program abroad, by analyzing reports from the field and available studies of foreign attitudes toward the United States and by periodic visits to overseas areas.

(vii) Brings to the attention of the geographic desks the significant aspects of foreign public opinion.

(viii) With the prior concurrence of the Office of International Information and Office of Educational Exchange, recommends to the Division of Foreign Service Personnel qualified personnel for assignment in the field; in collaboration with the Office of International Information and Office of Educational Exchange, insures that personnel assigned to the field in the information and educational exchange programs receive necessary and adequate indoctrination.

(ix) In collaboration with appropriate administrative divisions of the Department and with the concurrence of Office of International Information and Office of Educational Exchange, is responsible for planning the overseas organization, the preparation of the budget for information and educational exchange activities carried out by the Foreign Service of the United States, and the initiation of requests for the allotment of funds to the posts and for other essential administrative services.

(x) Participates in discussions with the geographic offices, foreign missions in Washington, and United States missions abroad, concerning policies and programs under the Fulbright Act; participates in the determination of policy and planning of programs in each country.

(xi) Maintains liaison with other offices of the Department, other Federal agencies, and international organizations, to obtain appropriate intelligence and background information upon which policies and programs are developed and evaluated.

(5) With respect to the Occupied Areas and in coordination with the Office of the Assistant Secretary for Occupied Areas:

(i) Formulates and initiates the drafting of all Department policy statements for the occupied areas in the fields of informational, educational, religious, cultural, and scientific affairs.

(ii) Proposes, on behalf of the Department, programs for the implementation of policies in the fields of informational, educational, religious, cultural, and scientific affairs.

(iii) Provides policy guidance for use of the occupation authorities in Germany and Austria in presenting the United States position on controversial issues, and correcting misinformation emanating from other sources.

(iv) Reviews and evaluates developments in the occupied areas affecting programs and policies in the fields of informational, educational, religious, cultural, and scientific affairs.

(v) Ensures that radio programs to the population in occupied areas are in keeping with general policies of the Department.

(vi) Initiates policy guidance to enable all media of information to attain maximum effectiveness in promoting the general programs of the Department.

(c) *Organization.* The Chief of the Public Affairs Overseas Program Staff is responsible to the Assistant Secretary and the Deputy Assistant Secretary—Public Affairs. The Staff consists of an administrative office and the following branches: European Branch; Far Eastern Branch; Near East and African Branch; American Republics Branch; German-Austrian Branch; and Japan-Korean Branch.

§ 1.420 *Office of International Information*—(a) *Purpose.* To support United States foreign policy by giving foreign peoples a true picture of the aims, policies, and institutions of the United States and by promoting mutual understanding between the people of the United States and other people as an essential foundation for durable peace; and to assist private activities contributing to this objective.

(b) *Major functions.* The Office, in coordinating and supervising the activities of the organizational units under its jurisdiction, performs the following functions:

(1) Plans and develops for final approval by the Assistant Secretary—Public Affairs, the international information policies of the Department.

(2) Develops and coordinates policy for, and is responsible for the effective execution of the international information program of the United States.

(3) Disseminates abroad information about the United States through all appropriate media.

(4) Promotes freedom of information.

(5) Encourages and assists private agencies in their international information activities; insures the use of private facilities, wherever practicable, in carrying out the international information program.

(6) Assists the Assistant Secretary—Public Affairs to discharge his responsibilities in connection with the United States Advisory Commission on Information, and on his behalf, insures Departmental leadership of all interdepartmental international information committees.

(c) *Organization.* The Office consists of the office of the Executive officer, the Secretariat of the United States Advisory Commission on Information, and the Division of International Press and Publications, Division of International Broadcasting, and Division of International Motion Pictures.

6. Sections 1.421, 1.430, 1.431 and 1.432 are added as follows:

§ 1.421 *Secretariat of the United States Advisory Commission on Information*—(a) *Purpose.* To serve the members of the United States Advisory Com-

mission on Information so as to enable the Commission to fulfil its obligations to the Congress, as provided in Public Law 402, 80th Congress, title VI, section 602.

(b) *Major functions.* (1) Provides the Commission with data concerning all aspects of the information program authorized by Public Law 402, as well as with background data on informational activities sponsored by the United States Government and similar activities of foreign governments, in order that it may appraise the effectiveness of current operations and make recommendations to effectuate the objectives of the Information and Educational Exchange Act of 1948.

(2) In collaboration with appropriate officers of the Public Affairs area and the divisions and units of the Office of International Information, assists in the development and implementation of a system of reports and evaluation for all information operations authorized by Public Law 402, in order to provide the Commission with program data required for the effective execution of its functions.

(3) Prepares, under the direction of the United States Advisory Commission on Information, a quarterly report to the Secretary of State concerning all information programs and activities carried on under the authority of Public Law 402, including appraisals, where feasible, as to the effectiveness of the programs and recommendations for effectuating the purposes and objectives of this law.

(4) Prepares, under direction of the United States Advisory Commission on Information, a semiannual report to the Congress, on all informational programs and activities carried on under the authority of Public Law 402, including appraisals, where feasible, as to the effectiveness of the programs, and the action taken by the Secretary of State to carry out recommendations submitted to him by the Commission.

(5) Provides the United States Advisory Commission on Information with the necessary secretariat services, and follows up, through established channels, on all decisions and recommendations which require action or attention by various offices within the Department and other agencies of the Federal Government.

(c) *Organization.* The Secretariat reports, and is responsible administratively, to the Director of the Office of International Information and, functionally, to the United States Advisory Commission on Information. The Secretariat includes a chief and other officers responsible for carrying out the above-mentioned functions.

§ 1.430 *Office of Educational Exchange—(a) Purpose.* To promote the foreign relations of the United States in the field of educational, scientific, and cultural affairs by cooperating with other nations in the interchange of knowledge and skills, the rendering of technical services, and the dissemination and interchange of developments in education, the arts, and sciences.

(b) *Major functions.* The Office, in coordinating and supervising the activities of the organizational units under its

jurisdiction, performs the following functions:

(1) Plans and develops, for final approval by the Assistant Secretary—Public Affairs, the international educational exchange policies of the Department.

(2) Develops, coordinates policies for, and is responsible for the effective execution of, United States programs in the field of international educational exchange undertaken by the Department of State and other Federal agencies, including programs for the interchange of persons, exchange and dissemination of educational, scientific, and cultural materials, operation of American libraries abroad, assistance to American-sponsored institutions abroad, and assignment of United States Government specialists for service with the governments of other countries.

(3) Stimulates and facilitates the international educational exchange activities of private agencies and unofficial organizations in the United States and abroad; insures the use of private facilities, wherever practicable, in carrying out the international educational exchange program for which the Department is responsible.

(4) Assists the Assistant Secretary—Public Affairs to discharge his responsibilities in connection with the United States Advisory Commission on Educational Exchange, the Board of Foreign Scholarships, and the Interdepartmental Committee on Scientific and Cultural Cooperation, insuring, on behalf of the Assistant Secretary, Departmental leadership of all interdepartmental activities concerned with international educational exchange; provides the Deputy Chairman of the Interdepartmental Committee on Scientific and Cultural Cooperation.

(c) *Organization.* The Office consists of the office of the Executive Officer, and the Secretariat of the United States Advisory Commission on Educational Exchange, Secretariat of the Interdepartmental Committee on Scientific and Cultural Cooperation, Division of Libraries and Institutes, and Division of Exchange of Persons.

§ 1.431 *Secretariat of the Interdepartmental Committee on Scientific and Cultural Cooperation—(a) Purpose.* To serve as the central integrating and coordinating staff within the Department of State for the programs of Federal agencies which, as members of the Interdepartmental Committee on Scientific and Cultural Cooperation, conduct cooperative programs with other governments for the interchange of persons, knowledge, and skills.

(b) *Major functions.* The Secretariat performs the following functions:

(1) Through the Director of the Office of Educational Exchange, makes recommendations to the Assistant Secretary—Public Affairs concerning development of policies, programs, and projects for the participation of other Federal agencies in cooperative scientific, technical, and cultural activities abroad that are undertaken under the auspices of the Interdepartmental Committee on Scientific and Cultural Cooperation.

(2) Performs the basic staff work and maintains the required liaison with offices and divisions of the Department to

assure the integration with over-all United States foreign policy of the programs and activities involving the international interchange of persons, knowledge, and skills that are undertaken by other Federal agencies under the auspices of the Interdepartmental Committee.

(3) Services the Interdepartmental Committee and its Executive Committee and subcommittees in scheduling meetings, planning agenda, and preparing necessary information and supporting documents; takes appropriate actions to carry out Committee decisions and recommendations; and maintains adequate reports and records.

(4) Collaborates with and assists the member agencies of the Committee and the Office of Budget and Planning in (i) formulating and preparing the over-all budget-submission for projects of member agencies and (ii) making initial allocation of funds each fiscal year and subsequent adjustments in such allocations.

(5) Secures and prepares reports, analyses, and other informational material concerning current and past projects to enable the Committee and the Department to appraise future projects or proposals of participating agencies; prepares special reports regarding the over-all Committee program for dissemination to the field and the public through prescribed Departmental channels.

(6) Maintains liaison with the Committee Secretariat Branch of the Executive Secretariat, to insure a two-way flow of information and of coordination of policy and action between the Interdepartmental Committee on Scientific and Cultural Cooperation and other interdepartmental committees on which the Department is represented.

(c) *Organization.* The Secretariat reports and is responsible to the Director of the Office of Educational Exchange. It includes an Executive Director, an Executive Secretary, and officials responsible for activities in the following fields: Budget and Administrative Procedures; and Program Analysis and Reports.

§ 1.432 *Secretariat of the United States Advisory Commission on Educational Exchange—(a) Purpose.* To serve the members of the United States Advisory Commission on Educational Exchange so as to enable that Commission to fulfill its obligations to the Congress as provided in Public Law 402, 80th Congress, title VI, section 602.

(b) *Major functions.* The Secretariat performs the following functions:

(1) Provides the Commission with information concerning all aspects of the educational exchange program authorized by Public Law 402, as well as with background data on educational exchange activities sponsored by the United States Government and similar activities of foreign governments, in order that the Commission may appraise the effectiveness of current operations and make recommendations to effectuate the objectives of the Information and Educational Exchange Act of 1948.

(2) In collaboration with appropriate officers of the Public Affairs Area and the divisions and units of the Office of Educational Exchange, assists in the development and implementation of a system of reports and evaluation for all educa-

tional exchange operations authorized by Public Law 402, in order to provide the Commission with program data required for the effective execution of its functions.

(3) Under the direction of the Commission, prepares a quarterly report to the Secretary of State concerning all educational exchange programs and activities carried on under the authority of Public Law 402, including, where feasible, appraisals as to the effectiveness of the programs and recommendations for effectuating the purposes and objectives of the law.

(4) Prepares, under direction of the Commission, a semiannual report to the Congress on all educational exchange programs and activities carried on under the authority of Public Law 402, including, where feasible, appraisals as to the effectiveness of the programs and the action taken by the Secretary of State to carry out recommendations the Commission has submitted to him.

(5) Provides the United States Advisory Commission with the necessary secretariat services, and, through established channels, follows up on all decisions and recommendations requiring action or attention by various offices within the Department and other agencies of the Federal Government.

(c) *Organization.* The Secretariat reports and is responsible, administratively, to the Director of the Office of Educational Exchange and, functionally, to the Commission. It includes a Chief and other officers responsible for carrying out the above-mentioned functions.

7. Sections 1.500, 1.510, 1.520, 1.540, 1.610, 1.1010, 1.1110, 1.1130, 1.1150, and 1.1840 are revised to read as follows:

§ 1.500 *Assistant Secretary, Economic Affairs*—(a) *Purpose.* To advise and assist the Secretary in the development and implementation of foreign economic policy with respect to international trade, finance, and economic development and security.

(b) *Major functions.* The office of the Assistant Secretary performs the following functions:

(1) Initiates, formulates, and coordinates foreign economic policy and action.

(2) Guides and directs economic programs and policy development for the offices under its jurisdiction.

(3) Through an Economic Policy Information Service:

(i) Edits and publishes the weekly "Current Economic Developments," which records the work of the economic offices of the Department.

(ii) Edits and publishes a "Secret Daily Economic Summary."

(iii) Prepares special reports and summaries in the economic field.

(iv) Supervises the technical aspect of the economic information and reporting activities in the various economic offices of the Department.

(v) Establishes procedures for the guidance of the information officers and representatives in the offices, to assure clear, comprehensive, accurate, and consistent reporting on economic matters.

(4) Through a Secretariat for the Executive Committee on Economic Foreign Policy:

(i) Anticipates and brings to the attention of the Executive Committee for coordination and policy recommendations, problems arising in the Federal agencies that involve United States foreign economic relations.

(ii) Recommends procedure, including the establishment of subcommittees, for the disposition of the problems.

(iii) Coordinates the activities of the Executive Committee, its subcommittees, and other related interdepartmental committees, to assure full coverage on all questions and problems to avoid overlapping and conflict.

(c) *Organization.* The office of the Assistant Secretary consists of the Assistant Secretary, Economic Policy Information Service, and Secretariat for the Executive Committee on Economic Foreign Policy, and has jurisdiction over the Office of International Trade Policy, Office of Financial and Development Policy, and Office of the Foreign Liquidation Commissioner.

§ 1.510 *Office of International Trade Policy*—(a) *Purpose.* To promote the foreign and international-policy objectives of this Government by securing the adoption and continuing application by the United States, in cooperation with other countries, of the principles and conduct which will encourage expansion of the production, exchange, and consumption of goods and provide for the integration of labor, social, and health considerations into general United States foreign policy; otherwise to protect and promote, within the responsibilities of the Department, the interests of the United States and its nationals in the foregoing matters.

(b) *Major functions.* The Office performs the following functions:

(1) Directs and coordinates the work and programs of the Office and its Divisions.

(2) Collaborates with other Offices in coordinating the programs and responsibilities of the Office with the programs and responsibilities within their primary jurisdiction.

(3) Represents the Department on interdepartmental committees and interagency organizations dealing with international economic affairs, as occasion requires.

(4) Represents the United States on delegations to international conferences, as directed.

(5) Selects, reviews, and edits material for periodic reports for the Secretary, officers of the Department, and Foreign Service missions, pertaining to the responsibilities of the Office; and develops pertinent background material for the guidance of the Director and senior officers of the Office and its divisions, as assigned.

(6) Exercises general supervision over administrative and fiscal functions of the Office and its divisions.

(c) *Organization.* The Office consists of the Division of Commercial Policy, International Resources Division, Petroleum Division, and Division of International Labor, Social, and Health Affairs.

(d) *Relationships with other agencies.* The Office has relationships;

(1) With the Department of Commerce, Agriculture, Treasury, Justice, and Labor; the National Military Establishment, the Federal Security Agency, and the Reconstruction Finance Corporation.

§ 1.520 *Office of Financial and Development Policy*—(a) *Purpose.* Within the scope of responsibility of the Department, to provide direction for the initiation, formulation, and coordination of the economic foreign policy of the United States with respect to investment and economic development; financial affairs; occupied areas economic affairs; and economic property policy.

(b) *Major functions.* The Office performs the following functions:

(1) Directs and coordinates the work and programs of the Divisions of the Office.

(2) Collaborates with other offices in the coordination of the programs and responsibilities of the Office with the programs and responsibilities within the primary jurisdiction of such offices.

(3) Represents the Department on interdepartmental committees and interagency organizations dealing with international economic affairs, as the occasion requires.

(4) Represents the United States on delegations to international conferences, as directed.

(5) Coordinates Departmental positions and activities relating to organizations and agencies concerning which the Office is charged with primary responsibility for liaison and representation; for example, the Export-Import Bank and the National Advisory Council.

(6) Exercises the authorities conferred upon the Secretary of State by paragraph 2 (a) of Executive Order 9630, dated September 27, 1945 with respect to the administration of the Lend-Lease Act of March 11, 1941, as amended.

(c) *Organization.* The Office consists of the Division of Financial Affairs, Division of Investment and Economic Development, Division of Economic-Property Policy, and Division of Occupied-Area Economic Affairs.

(d) *Relationship with other agencies.* The Office has relationship with all agencies and organizations listed under the several divisions.

§ 1.540 *Office of the Foreign Liquidation Commissioner*—(a) *Purpose.* To formulate a coordinated United States foreign policy with respect to the disposal of surplus property, and to insure that the United States and its citizens and their enterprises receive the maximum economic security possible in the disposal of surplus property.

(b) *Major functions.* The Office performs the following major functions:

(1) Directs the disposal of foreign-located surpluses.

(2) Coordinates the program of the Office of Foreign Liquidation with the programs of other Federal agencies.

(3) Determines basic objectives with respect to surplus-property disposals.

(4) Develops major sales opportunities, concluding agreements with larger purchasers.

(c) *Organization.* The Office consists of the Office of the Commissioner and the Research and Statistics Division, Administrative Division, Budget and Accounting Division, Compliance Division, and General Disposals Division.

(d) *Relationships with other agencies.* In addition to other offices in the Department, the Office of Foreign Liquidation has relationships with other agencies with respect to top-level policy decisions in the disposal of surplus property, including, in particular, the Departments of the Army, Navy, and Air Force, War Assets Administration, Congress, Bureau of the Budget, Maritime Commission, Reconstruction Finance Corporation, Office of Temporary Controls, Interior Department, Commerce Department, Department of Justice, Department of Agriculture, Treasury Department, General Accounting Office, United States Lend-Lease and Surplus Settlement Committee and Working Groups, and Interdepartmental Committee on Implementation of the Fulbright Act.

§ 1.610 *Office of Transport and Communications—(a) Purpose.* To assure that national and international policies in the fields of aviation, ocean shipping, inland transport, and telecommunications are consistent with and advance the foreign-policy objectives of the United States; to press for the elimination of artificial barriers to international navigation in order that no nation shall, by accident of geographic location, be denied free access to seaports or international waterways; to promote the principle that the seas and air should be open to all nations on equal terms for peaceable trade; and to protect the transportation and communication interests of the United States and its citizens abroad.

(b) *Major functions.* The Office performs the following functions:

(1) General functions:

(i) Coordinates the development and implementation of foreign policies in the fields of civil aviation, shipping, inland transport, and telecommunications.

(ii) Collaborates with other Offices in coordinating the programs of the Office of Transport and Communications with the programs within the primary jurisdiction of such Offices.

(iii) Acts as adviser to the Assistant Secretary and other principal officers of the Department, and to other Federal agencies, on the foreign-policy aspects of communications and surface and air transport.

(iv) Initiates policy and action with regard to international travel; represents the Department on the Interdepartmental Committee on Foreign Travel; and maintains membership on the Travel Policy Committee of the Department.

(v) Provides assistance and direction to the constituent divisions on management matters, including personnel and budget administration.

(vi) Maintains and administers message-distribution and -control center for the Office and its divisions.

(2) International civil aviation and telecommunication functions:

(i) Supervises and coordinates the work and programs of the component divisions.

(ii) Represents the Department on interdepartmental committees and international organizations dealing with international civil aviation and telecommunication affairs.

(iii) Represents the United States on delegations to international conferences.

(iv) Selects, reviews, and edits material for periodic reports for the Secretary, officers of the Department, and Foreign Service missions.

(v) Acts as adviser to the Assistant Secretary—Transportation and Communications and other principle officers of the Department, and to other Federal agencies, on the foreign-policy aspects of civil aviation and telecommunication.

(3) International ocean-shipping functions:

(i) Initiates, develops, and coordinates the implementation of policy on inter-regional or world-wide shipping situations, including the substantive aspects thereof arising in international organizations.

(ii) Initiates and participates in the development of general foreign policy as it may affect or be affected by shipping considerations.

(iii) Reviews policy positions, recommendations, and instructions prepared by other units of the Department; attempts to reconcile differences which may exist with regard to such proposed policies, instructions, and actions between the initiating unit and the Office and, failing that, makes recommendations to the Assistant Secretary.

(iv) Gives advice on policy positions and recommendations.

(v) Makes available to other units of the Department, information with respect to United States, inter-regional, or global shipping problems.

(vi) Represents the Department, or arranges for Department representation, on interdepartmental committees when shipping matters are under consideration.

(vii) Provides a focal point for the Department, the Maritime Commission, the Department of Commerce, and other agencies having interests in international ocean-shipping affairs; represents to those agencies the viewpoint of the Department on shipping affairs; and evaluates the viewpoints of such agencies on matters pertinent to foreign and international policy.

(viii) Maintains for the Department contact with representatives of domestic and international shipping interests and organizations.

(ix) In consultation with the Foreign Service, the geographic offices, and other Federal agencies, develops and reviews the Foreign Service reporting program.

(x) Participates with the geographic offices, the Department of Commerce, and the Maritime Commission in recommending the selection, assignment of, and arranging for the training of shipping attachés.

(xi) Insures that the shipping attachés are supplied with general and current materials necessary for their continued efficient operation.

(4) International inland transport functions:

(i) Initiates, develops, and recommends implementation of policy on

problems relating to international highways, railroads, inland waterways, ports, and harbors.

(ii) Initiates and participates in the development of general foreign policy as it may affect or be affected by inland-transport considerations.

(iii) Reviews policy positions, recommendations, and instructions prepared by other units of the Department; attempts to reconcile differences which may exist; and makes recommendations to the Assistant Secretary.

(iv) Informs and advises other units of the Department, with respect to international inland transport.

(v) Represents the Department, or arranges for Department representation on interdepartmental committees, when inland-transport matters are under consideration.

(vi) Discharges Department responsibilities on international organizations with respect to contacts, representation, instructions, and official communications relating to the substantive aspects of international inland-transport affairs.

(vii) In consultation with the geographic offices and other Federal agencies, develops and reviews the Foreign Service reporting program on inland transport.

(viii) Insures that the United States missions abroad are supplied with general and current materials necessary for their continued efficient operation in matters relating to inland transport.

(ix) Exercises continuing responsibility in the Department for the development of United States policy with respect to the Danube and the Rhine.

(x) Gives advice on inland-transport problems arising in various geographic areas.

(c) *Organization.* The Office consists of the Aviation Division and the Telecommunications Division.

(d) *Relationships with other agencies.* The Office maintains membership on interdepartmental committees and has relationship with other Federal agencies and with international organizations interested in transport and communications.

§ 1.1010 *Office of American Republic Affairs—(a) Purpose.* To formulate plans and over-all policies for the conduct of United States relations with the countries and areas under its jurisdiction, and to coordinate and review policy matters originating within other geographic or functional offices of the Department or other Federal agencies.

(b) *Major functions.* The Office performs the following functions:

(1) Develops basic policies to govern the conduct of United States relations with the countries and areas under its jurisdiction.

(2) Directs the conduct of foreign relations with the countries under its jurisdiction, taking the initiative in affairs primarily political, and, in other affairs, stimulating the functional offices of the Department and the other Federal agencies charged with primary responsibility in specialized fields.

(3) In the formulation of policy, draws into consultation all appropriate functional offices of the Department and all appropriate Federal agencies.

(4) Keeps other offices of the Department and other Federal agencies adequately informed on emerging problems, policy decisions, and action with respect to countries under its jurisdiction, so that all United States programs in such countries may be coordinated with over-all United States foreign policy.

(5) Reviews and evaluates programs and activities of other offices of the Department and other Federal agencies, as they affect the political situation in a particular area.

(6) Directs and instructs United States Foreign Service establishments in the countries and areas within its jurisdiction, and aids the Special Assistant for Research and Intelligence in drafting such instructions to the field as are required by the Departmental and National Intelligence programs.

(7) In collaboration with the Office of the Foreign Service, other interested offices of the Department, and other Federal agencies, advises on the type and number of personnel required in Foreign Service establishments.

(8) Maintains close relationships with appropriate foreign diplomatic missions in the United States.

(9) Provides representation on appropriate intra-departmental and inter-agency committees.

(10) Assures continuous interchange of information and close and informal relationships between its constituent divisions and the intelligence offices of the Department.

(11) Coordinates and maintains the necessary contacts within the Office for assignments of specialists to other American republics under Public Law 63 of the 76th Congress, taking the appropriate action required to procure them through the Interdepartmental Committee on Scientific and Cultural Cooperation.

(c) *Organization.* The Office consists of the Information Section, office of the Executive Officer, Division of Special Inter-American Affairs, Division of Mexican Affairs, Division of Caribbean Affairs, Division of Central American and Panama Affairs, Division of Brazilian Affairs, Division of North and West Coast Affairs, and Division of River Plate Affairs.

(1) *Information Section:*

(i) Evaluates and disseminates policy developments in the area and throughout the world, for transmission to appropriate officers of the Department and to Foreign Service establishments.

(ii) Keeps the Special Assistant to the Secretary for Press Relations and the Office of Public Affairs informed on current developments.

§ 1.1110 *Office of European Affairs—*

(a) *Purpose.* To formulate plans and over-all policies for the conduct of United States relations with the countries and areas under its jurisdiction, and to coordinate and review policy matters originating within other geographic or functional offices of the Department or other Federal agencies.

(b) *Major functions.* The Office performs the following functions:

(1) Develops basic country and area policies to govern the conduct of United

States relations with the countries and areas under its jurisdiction.

(2) Directs the conduct of foreign relations with the countries under its jurisdiction, taking the initiative in affairs primarily political, and, in other affairs, stimulating the functional offices of the Department and the other Federal agencies charged with primary responsibility in specialized fields.

(3) In the formulation of policy, draws into consultation all appropriate functional offices of the Department and all appropriate Federal agencies.

(4) Keeps other offices of the Department and other Federal agencies adequately informed on emerging problems, policy decisions, and action with respect to these countries, so that all United States programs in such countries may be coordinated with the over-all United States foreign policy.

(5) Reviews and evaluates programs and activities of other offices of the Department and of other Federal agencies, as they affect the political situation in a particular area.

(6) Directs and instructs United States Foreign Service establishments in the countries and areas within its jurisdiction, and assists the Special Assistant for Research and Intelligence in developing instructions to the field as may be required by the Departmental and national intelligence programs.

(7) In collaboration with the Office of the Foreign Service, interested offices of the Department, and other Federal agencies, advises on the type and number of personnel required in Foreign Service establishments.

(8) Maintains close relationships with appropriate foreign diplomatic missions in the United States.

(9) Provides representation on appropriate Departmental and inter-agency committees and at international conferences.

(10) Assures continuous interchange of information and the maintenance of close and informal relationships between its constituent divisions and the intelligence offices of the Department.

(11) Assists the Assistant Secretary in charge of Occupied Areas in the coordination of State Department policy with respect to all matters relating to the occupation of Germany and Austria.

(12) Reports on important programs in the field of political movements and their international connections.

(13) Advises on matters related to the United Nations and the related specialized organizations, working in close relationship with the Office of United Nations Affairs.

(14) Assures the successful execution of the administrative activities of the Office and its divisions, including management, fiscal, personnel, and other administrative service matters.

(c) *Organization.* The Office consists of the Special Assistants for Economic Affairs; Special Assistant for United Nations Affairs; Special Research Section; Policy Information Section; Office of the Executive Officer; and the following: the Division of British Commonwealth Affairs, Division of Eastern European Affairs, Division of Central European Af-

fairs, Division of Southern European Affairs; Division of Northern European Affairs, and Division of Western European Affairs.

(1) *Special Assistants for Economic Affairs:*

(i) Advise on, and evaluate economic, commercial, and financial policy and trends, both of the United States and of the countries within the jurisdiction of the Office, from the point of view of their political effects upon United States relations with the countries and areas.

(ii) Perform continuous liaison with the economic offices of the Department and the Coordinator for Foreign Aid and Assistance in the determination and development of economic policies.

(iii) Perform special assignments abroad to consult with economic and diplomatic staffs in the field and to negotiate with representatives of foreign governments.

(2) *Special Assistant for United Nations Affairs:*

(i) Advises on matters relating to the United Nations and its auxiliary organizations, integrating area policy with the policy of the United States in relations with the United Nations.

(ii) Serves as adviser and consultant on special assignments to the United States delegation at meetings of the Security Council and the General Assembly of the United Nations.

(iii) Represents the Office at Departmental and inter-agency meetings on United Nations matters.

(iv) Performs liaison functions between the Office and its component divisions and the Office of United Nations Affairs.

(3) *Special Research Section:*

(i) Advises on highly confidential matters in the field of political movements and their international implications.

(ii) Prepares comprehensive studies and analyses of the political developments in foreign countries for submission to appropriate officials in the Department and abroad.

(4) *Policy Information Section:*

(i) Evaluates and disseminates policy developments both in the area and throughout the world for transmission to appropriate officers of the Department and to Foreign Service establishments.

(ii) Advises the Office of International Information and the Office of Educational Exchange on informational policy aspects of their operations and keeps the Office informed on public information problems.

(iii) Keeps the Office of the Special Assistant to the Secretary for Press Relations and the Office of Public Affairs currently informed on developments.

(iv) Correlates the preparation of appropriate policy statements.

(v) Represents the Office on the Policy Information Committee.

(d) *Relationships with other agencies.* The Office has relationship:

(1) With the Departments of the Army, Navy, and Air Force, by participation on subcommittees of the State-Army-Navy-Air Force Coordinating Committee on policy matters concerning Europe and by direct contact with the

Civil Affairs Division and the Plans and Operations Division of the Department of the Army.

(2) With other Federal agencies, concerning political aspects of their respective programs.

§ 1.1130 *Office of Far Eastern Affairs*—(a) *Purpose*. To formulate plans and over-all policies for the conduct of United States relations with the countries and areas under its jurisdiction, and to coordinate and review policy matters originating within other geographic or functional offices of the Department or other Federal agencies.

(b) *Major functions*. The Office performs the following functions:

(1) Develop basic policies to govern the conduct of United States relations with the countries and areas under its jurisdiction.

(2) Directs the conduct of foreign relations with the countries under its jurisdiction, taking the initiative in affairs primarily political and, in other affairs, stimulating the functional offices of the Department and other Federal agencies charged with primary responsibility in specialized fields.

(3) In the formulation of policy, draws into consultation all appropriate functional offices of the Department and all appropriate Federal agencies.

(4) Keeps other offices of the Department and other Federal agencies adequately informed on emerging problems, policy decisions, and action with respect to these countries, so that all United States programs in such countries may be coordinated with the over-all United States foreign policy.

(5) Reviews and evaluates programs and activities of other offices of the Department and of other Federal agencies, as they affect the political situation in a particular area.

(6) Directs and instructs United States Foreign Service establishments in the countries and areas within its jurisdiction, and assists the Special Assistant for Research and Intelligence in developing instructions to the field as required by the Department and National Intelligence programs.

(7) In collaboration with the Office of the Foreign Service, interested offices of the Department, and other Federal agencies, advises on the type and number of personnel required in Foreign Service establishments.

(8) Maintains close relationships with appropriate foreign diplomatic missions in the United States.

(9) Provides representation on appropriate departmental and inter-agency committees and at international conferences.

(10) Assures continuous interchange of information and the maintenance of close and informal relationships between its constituent divisions and the intelligence offices of the Department.

(11) Assists the Assistant Secretary for Occupied Areas in the coordination of State Department policy with respect to all matters relating to the occupation of Japan and Korea, and to the Pacific Islands under its jurisdiction.

(12) Advises on matters related to the United Nations and its specialized agen-

cies, working in close conjunction with the Office of United Nations Affairs.

(c) *Organization*. The Office consists of the Special Assistant for Economic Affairs, Special Assistant for United Nations Affairs, Information Section, Office of the Executive Officer, Division of Chinese Affairs, Division of Northeast Asian Affairs, Division of Southeast Asian Affairs, and Division of Philippine Affairs.

(1) Special Assistant for Economic Affairs:

(i) Advises on and evaluates economic, commercial, and financial policy and trends, of both the United States and the countries within the jurisdiction of the Office, from the viewpoint of their political effects upon United States relations with the countries and areas.

(ii) Maintains continuous liaison with the economic offices of the Department and the Coordinator for Foreign Aid and Assistance, in the determination and development of economic policies.

(iii) Performs special assignments abroad to consult with economic and diplomatic staffs in the field and to negotiate with representatives of foreign governments.

(2) Special Assistant for United Nations Affairs:

(i) Advises on matters relating to the United Nations and its auxiliary organizations, coordinating area policy with the policy of the United States in relations with the United Nations.

(ii) Serves as adviser and consultant on special assignments to the United States delegation at meetings of the Security Council and the General Assembly of the United Nations.

(iii) Represents the Office at intra-departmental and inter-agency meetings on United Nations matters.

(iv) Performs liaison functions between the Office and its component divisions and the Office of United Nations Affairs.

(3) *Information Section*:

(i) Evaluates policy developments both in the area and throughout the world, and transmits them to appropriate officers of the Department and to Foreign Service establishments.

(ii) Advises the Office of International Information and the Office of Educational Exchange on information-policy aspects of their operations, and keeps the Office informed on public-information problems.

(iii) Keeps the Special Assistant to the Secretary for Press Relations and the Office of Public Affairs informed on current developments.

(iv) Correlates the preparation of policy statements.

(v) Represents the Office on policy Information Committee.

(d) *Relationships with other agencies*. The Office has relationship:

(1) With the Departments of the Army, Navy, and Air Force, by participation on subcommittees of the State-Army-Navy-Air Force Coordinating Committee on policy concerning the Far East and by direct contact with the Civil Affairs Division and the Plans and Operations Division of the Department of the Army.

(2) With other Federal agencies, concerning political aspects of their respective programs.

§ 1.1150 *Office of Near Eastern and African Affairs*—(a) *Purpose*. To formulate plans and over-all policies for the conduct of United States relations with the countries and areas under its jurisdiction, and to coordinate and review policy matters originating within other geographic or functional offices of the Department or other Federal agencies.

(b) *Major functions*. The Office performs the following functions:

(1) Develops basic policies to govern the conduct of United States relations with the countries and areas under its jurisdiction.

(2) Directs the conduct of foreign relations with the countries under its jurisdiction, taking the initiative in affairs primarily political and in other affairs, stimulating the functional offices of the Department and other Federal agencies charged with primary responsibility in specialized fields.

(3) In the formulation of policy, draws into consultation all appropriate functional offices of the Department and all appropriate Federal agencies.

(4) Keeps other offices of the Department and other Federal agencies adequately informed of emerging problems, policy decisions, and action with respect to these countries, so that all United States programs in such countries may be coordinated with the over-all United States foreign policy.

(5) Reviews and evaluates programs and activities of other offices of the Department and of other Federal agencies, as they affect the political situation in a particular area.

(6) Directs and instructs United States Foreign Service establishments in the countries and areas within its jurisdiction, and assists the Special Assistant for Research and Intelligence in developing instructions to the field as required by the Department and National Intelligence programs.

(7) Collaborates with the Office of the Foreign Service, other interested offices of the Department, and other Federal agencies, in determining the type and number of personnel required in Foreign Service establishments.

(8) Maintains close relationships with appropriate foreign diplomatic missions in the United States.

(9) Provides representation on appropriate departmental and inter-agency committees and at international conferences.

(10) Assures continuous interchange of information and the maintenance of close and informal relationships between its constituent divisions and the intelligence offices of the Department.

(11) Advises on matters relating to the United Nations and its auxiliary organizations, working in close relationship with the Office of United Nations Affairs.

(12) Directs the administration of the Office and its divisions, including management, fiscal, personnel, and administrative service.

(c) *Organization*. The Office consists of the Special Assistants for Economic

Affairs, Special Assistants for United Nations Affairs, Policy Information Section, Office of the Executive Officer, Division of African Affairs, Division of Greek, Turkish, and Iranian Affairs, Division of Near Eastern Affairs, and Division of South Asian Affairs.

(1) Special Assistants for Economic Affairs:

(i) Advise on and evaluate economic, commercial, and financial policy and trends, of both the United States and the countries within the jurisdiction of the Office, from the viewpoint of their political effects upon United States relation with the countries and areas.

(ii) Maintain continuous liaison with the economic offices of the Department in the determination and development of economic policies.

(iii) Perform special assignments abroad to consult with economic and diplomatic staffs in the field and to negotiate with representatives of foreign governments.

(2) Special Assistants for United Nations Affairs:

(i) Advises on matters relating to the United Nations and its auxiliary organizations, integrating area policy with the policy of the United States in relations with the United Nations.

(ii) Serves as adviser and consultant on special assignments to the United States delegation at meetings of the Security Council and the General Assembly of the United Nations.

(iii) Represents the Office at intra-departmental and inter-agency meetings on United Nations matters.

(iv) Performs liaison functions between the Office and its component divisions and the Office of United Nations Affairs.

(3) Policy Information Section:

(i) Evaluates policy developments, both in the area and throughout the world, and transmits information reports to appropriate officers of the Department and to Foreign Service establishments.

(ii) Advises the Offices of the Assistant Secretary for Public Affairs on information-policy aspects of their operations, and keeps them informed on public-information problems.

(iii) Keeps the Office of the Special Assistant to the Secretary for Press Relations and the Office of Public Affairs informed on current developments.

§ 1.1840 *Office of Budget and Planning*—(a) *Purpose*. To develop the financial program of the Department, the Foreign Service, international commissions, boards, and other bodies affiliated with the Department; to insure that the most effective use is made of funds appropriated to the Department and that expenditure of such funds is restricted to the purpose for which they were appropriated; and to make financial reports available to policy and administrative officials of the Department.

(b) *Major functions*. The Office performs the following functions:

(1) Consults with and advises appropriate officials of the Department with respect to budgetary and financial feasibility of their plans and programs and the means of putting them into effect

from a budgetary and financial viewpoint.

(2) Presents and justifies the budget program to the Bureau of the Budget and the Congress.

(3) Exercises general direction and supervision over the fiscal operations and financial reporting of the Department, including the Foreign Service and affiliated organizations.

(4) Supervises the operations of the constituent divisions of the Office.

(c) *Organization*. The Office consists of the Division of Organization and Budget and Division of Finance.

(d) *Budget Officer*. The Director of the Office is ex officio, the Budget Officer of the Department.

8. Sections 1.2500, 1.2501, and 1.2502 are added as follows:

§ 1.2500 *Departmental boards and committees*—(a) *Composition and functions of boards*. The composition and functions of independent departmental boards which have specialized functions, appear hereinafter as § 1.2501 et seq.

(b) *Composition and functions of committees*. The composition and functions of independent departmental committees which have specialized functions, appear hereinafter as § 1.2551 et seq. The composition and functions of non-independent departmental boards and committees will be found under the appropriate sections, as indicated in the contents.

(c) *Criteria for the establishment of committees*. The following conditions govern the establishment of a committee:

(1) Where several organization units share the responsibility for the solving of problems requiring group consultation and clearance.

(2) Where the complexity of the problems demands group consultation.

(3) Where the number of persons involved is so large that regular meetings are preferable to informal liaison.

(4) Where a formal coordinating mechanism is required for securing cognizance and full consideration of problems.

(5) Where the importance and complexity of the problems warrant documents and records of discussion.

(d) *Criteria for the termination of committees*. Committees may be terminated for one or more of the following reasons:

(1) The committee has completed the assigned task.

(2) The problems which the committee was established to solve no longer exist.

(3) The liaison developed among the members renders the committee unnecessary.

(4) The committee has failed to effect or improve liaison.

(5) The composition or jurisdiction of the committee is not appropriate for dealing with the problems brought before it.

(e) *Procedure for the establishment of committees*. For the procedure governing the establishment and termination of both departmental and interdepartmental committees, see DR 232.4.

§ 1.2501 *Loyalty and Security Board*—(a) *Purpose*. To promote the security of the United States and the Department of State in the conduct of foreign affairs in conformity with Executive Order 9835 establishing the President's Loyalty Program and the regulations and directions of the Loyalty Review Board of the Civil Service Commission.

(b) *Functions*. The Board makes recommendations as to the loyalty and security of persons in the Department and the Foreign Service whose records are referred to it by the responsible authorities of the Department.

(c) *Organization*. The Board is composed of three officers of the Department appointed by the Secretary.

(d) *Procedure*. (1) Dependent upon the nature of the case, the Board is governed by the loyalty standard provided for in Executive Order 9835 or the security principles of the Department.

(2) All three members of the Board must be present in the consideration of cases.

§ 1.2502 *Board on Employee Awards*—(a) *Purpose*. To administer the Employee-Suggestion Program of the Department, in conformity with Departmental Regulation 301.1.

(b) *Functions*. The Board performs the following functions:

(1) Formulates and recommends procedures and standards for submitting, considering, and paying cash awards for employee suggestions.

(2) Establishes standards and procedures for honor recognition and awards.

(3) Reviews recommendations for awards and, by majority vote, grants such awards.

(c) *Membership*. (1) The Board is composed of seven members, including the Chairman, and Vice Chairman; an Executive Secretary; and an alternate for each member to act when the regular member is unable to attend a meeting.

(2) All members, officers, and alternates are selected by the Assistant Secretary—Administration. They are so selected as to provide a representative group of responsible senior officers of the Department.

9. Section 1.2511 is redesignated § 1.2552.

10. Sections 1.2561 and 1.2526 are added as follows:

§ 1.2561 *Committee on Attestation*—(a) *Purpose*. To attest the international educational character of films, filmstrips, slides, and sound-recordings upon proper request for such certification; and to review such materials in order to provide special tariff exemptions for materials of established educational character.

(b) *Functions*. The Committee performs the following functions:

(1) Reviews motion pictures, filmstrips, slides, and sound-recordings at the request of the owners of the rights of reproduction and recording of such materials.

(2) Evaluates such materials from the standpoint of their international application and educational purpose and effect.

(3) Formulates, with respect to each subject, a position of the Department of State consistent with accepted criteria of evaluation.

(4) Attests materials by the issuance of a certificate signed by the Attestation Officer.

(c) *Membership.* The Committee is composed of representatives of other organizations of the Department, other Federal agencies, and non-governmental organizations as may be invited to participate in the deliberation of the Committee on matters directly involving their interests or technical competence. The members are designated by the Chairman, with the approval of the Chief of the Division of Libraries and Institutes, Office of Educational Exchange.

(d) *Organization.* The Officers are the Attestation Officer (from the Division of Libraries and Institutes) who shall serve as Chairman, and the Secretary, who shall be designated by the Chairman.

§ 1.2562 *Review Committee on Visual and Audio Material.*—(a) *Purpose.* To review and evaluate visual and audio materials which, because they are Government-made or are distributed through official channels, require a judgment of probable effect on other governments and peoples or upon the people of the United States.

(b) *Functions.* The Committee performs the following functions:

(1) Reviews scripts, titles, films, filmstrips, and sound-recordings (hereinafter referred to as materials).

(2) Evaluates such materials from the standpoint of their end use and suitability for transmittal through official channels.

(3) Formulates, with respect to each submission of materials, the position of the Department of State which is consistent with the best interests of this Government in its relation with other governments by whom the material is produced or to whom it may be transmitted, or with third governments.

(c) *Membership.* The Committee is composed of representatives of other organizations of the Department, other Federal agencies, and non-governmental organizations as may be invited to participate in the deliberation of the Committee on matters directly involving their interests or technical competence. The members are designated by the Chairman, with the approval of the Chief of the Division of Libraries and Institutes, Office of Educational Exchange.

(d) *Organization.* The Officers are the Chairman (from the Division of Libraries and Institutes) and the Secretary, who shall be designated by the Chairman.

11. Section 1.2601 is redesignated § 1.2599 and revised to read as follows:

§ 1.2599 *Treaty Committee.*—(a) *Purpose.* To facilitate coordination of policy problems arising under the treaties of peace with Italy (including Trieste), Hungary, Bulgaria, and Rumania.

(b) *Functions.* The Committee performs the following functions:

(1) Identifies and evaluates present and emerging problems in respect to the peace treaties, of mutual concern to the geographic and functional offices in preparing policy recommendations. In performing this function the Committee serves as a medium for the interchange of information.

(2) Is responsible for coordinating United States policy regarding the execution of the peace treaties with the four southern European countries mentioned above.

(3) Gives guidance and facilitates clearance on instructions to the field on treaty matters.

(c) *Membership.* The Committee is composed of representatives of the Office of European Affairs, Office of International Trade Policy, Office of Financial and Development Policy, Legal Adviser, Office of Transport and Communications, Special Assistant to the Secretary for Research and Intelligence, Office of International Information, Office of Educational Exchange, Office of Public Affairs, and Office of United Nations Affairs. Representatives of the Departments of the Army, Navy, and Air Force will be invited to consult on military matters.

(d) *Organization.* The officers are the Chairman (from the Office of European Affairs), the Executive Secretariat (from the Office of International Trade Policy), and the Secretary (from the Executive Secretariat).

This regulation will be effective on the date of publication in the **FEDERAL REGISTER**.

Issued: July 1, 1948.

Approved: July 1, 1948.

For the Secretary of State.

[SEAL] STANLEY T. OREAR,
Chief,
Division of Organization and Budget.

[F. R. Doc. 48-7233; Filed, Aug. 10, 1948;
8:49 a. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

PART 500—GENERAL

ORGANIZATION AND FUNCTIONS

Section 500.22 of Subpart C is amended effective August 15, 1948, by:

Opposite the State of California, in the Column headed "City" and directly below "San Francisco" adding "Sacramento" and on the same horizontal line, in the column headed "Address" adding "Post Office Building"; and in the column headed "Jurisdiction," adding "(See San Francisco)."

(Sec. 1, 48 Stat. 1246; as amended; 12 U. S. C. and Sup. 1702; Reorg. Plan No. 3 of 1947, 12 F. R. 4981)

[SEAL] R. WINTON ELLIOTT,
Assistant Commissioner.

AUGUST 3, 1948.

[F. R. Doc. 48-7209; Filed, Aug. 10, 1948;
8:46 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service, Department of the Interior

PART 21—HOT SPRINGS NATIONAL PARK; BATHHOUSE REGULATIONS

PART 28—LABOR STANDARDS APPLICABLE TO EMPLOYEES OF NATIONAL PARK SERVICE CONCESSIONERS

EFFECTIVE DATE

The last paragraph, entitled *Effective date*, of the regulations published in the **FEDERAL REGISTER** of July 17, 1948 (13 F. R. 4101-4102), is amended to read as follows:

Effective date. These regulations shall be effective on and after January 1, 1949.

(39 Stat. 535, 26 Stat. 843; 16 U. S. C. 3, 363)

Issued this 6th day of August 1948.

[SEAL] C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 48-7268; Filed, Aug. 10, 1948;
8:49 a. m.]

Chapter II—Forest Service, Department of Agriculture

PART 251—LAND USES

SPECIAL USE PERMITS

Pursuant to the provisions of the act of March 30, 1948 (Pub. Law No. 465, 80th Cong., 62 Stat. 100), and by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U. S. C. 551), and the act of February 1, 1905 (33 Stat. 628; 16 U. S. C. 472), the following amendment to Title 36, Chapter II, Part 251, Code of Federal Regulations, is promulgated, effective immediately:

Section 251.1 (Reg. U-10), first paragraph, is amended by inserting after the words "the act of March 4, 1915 (38 Stat. 1101; 16 U. S. C. 497)" the following: "and the act of March 30, 1948 (Pub. Law 465, 80th Cong.; 62 Stat. 100)".

(30 Stat. 35, 33 Stat. 628; Pub. Law 465, 80th Cong.; 62 Stat. 100; 16 U. S. C. 551, 472)

Issued this 5th day of August 1948.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-7225; Filed, Aug. 10, 1948;
8:49 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 6—PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

THIRD CLASS MATTER CONTAINING SAMPLE RAZOR BLADES, ETC.

In § 6.15, *When articles liable to damage mail or injure employees may be accepted* (39 CFR, 1946 Supp. 6.15), make the following change:

Amend paragraph (f) by designating the matter presently contained thereunder as subparagraph (1) and adding the following as new subparagraph (2):

(2) Mail matter of the third class containing sample safety razor blades, small samples of other metals, or any similar matter which is liable to injure postal employees assigned to destroy such mail in the dead letter branches in case of non-delivery, shall not be accepted for mailing unless it not only is properly protected to carry safely in the mails, but bears the name and address of the sender in the upper left corner together with the pledge "Return Postage Guaranteed."

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-7212; Filed, Aug. 10, 1948;
8:46 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

RECALL AND CHANGE OF ADDRESS

In § 127.34 *Recall and change of address*, of Subpart D (13 F. R. 905, 3938), make the following changes:

1. In paragraph (a) amend the last sentence to read as follows: "In the case of the countries listed in Table No. 2 of § 127.200, excluding Newfoundland (including Labrador), Canada, and the Republic of the Philippines, requests for return or change of address will not be complied with, if on receipt of the requests in the country of destination of the articles involved, the articles have already been turned over to the Customs for examination."

2. In paragraph (c) delete, beginning with line 12, the phrase "the amount chargeable on a single-rate registered letter to the country concerned (23 or 25 cents as the case may be)," and substitute therefor the phrase "a fee of 15 cents."

3. In paragraph (c) delete, in line 24, the phrase "International Postal Transport," and substitute therefor the phrase "International Postal Service."

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-7218; Filed, Aug. 10, 1948;
8:47 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

**PENICILLIN AND STREPTOMYCIN IN THE MAILS
TO GERMANY**

In § 127.264 *Germany*, of Subpart D (13 F. R. 981), make the following changes:

1. Amend paragraph (a) (6) (ii) to read as follows:

(ii) Mail containing penicillin or streptomycin will be accepted for transmission to Germany only if bearing a civilian address.

2. Delete paragraph (a) (6) (iii) in its entirety.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-7216; Filed, Aug. 10, 1948;
8:47 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

**PARCEL POST FOR UNION OF SOUTH AFRICA;
PROHIBITIONS**

In § 127.365 *Union of South Africa*, of Subpart D, (13 F. R. 1051), make the following change:

Add, as new inferior subdivision (d), to subdivision (iv) *For other reasons*, of subparagraph (5) *Prohibitions*, of paragraph (b) *Parcel post*, the following:

(d) Flour.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-7214; Filed, Aug. 10, 1948;
8:47 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

YUGOSLAVIA; GIFT PARCELS

In § 127.373 *Yugoslavia*, of Subpart D, (13 F. R. 1058) make the following change:

Amend paragraph (b) (4) (i) to read as follows:

(i) The following articles sent in gift parcels are exempt from customs duties:

Clothing, linen and footwear showing indications of use.

Coffee, cocoa and tea up to 2 pounds 3 ounces each.

Pepper, up to 8¼ ounces.

Vanilla and cinnamon, up to 3½ ounces.

Other foodstuffs, in any amount.

The parcel must be plainly marked by the sender on the address side to indicate that it is intended as a gift.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-7217; Filed, Aug. 10, 1948;
8:47 a. m.]

**TITLE 43—PUBLIC LANDS:
INTERIOR**

**Chapter I—Bureau of Land Management,
Department of the Interior**

[Circular No. 1689]

**PART 101—GENERAL REGULATIONS INVOLVING
APPLICATIONS AND ENTRIES**

OATHS

The following section is added:

§ 101.21 *Elimination of the requirements of oaths on written statements in*

public land matters. By the act of June 3, 1948 (Public Law 589, 80th Cong., 2d Sess.), written statements in public land matters under the jurisdiction of the Department of the Interior need not be made under oath unless the Secretary in his discretion shall so require. Accordingly, all written statements in public land matters within the jurisdiction of the Department of the Interior heretofore required by law, or Chapter I of this title, to be made under oath, need no longer be made under oath except as provided in Part 221, Rules of Practice, Part 222, Government contests, and Part 223, Witnesses, and with the further exception that final proofs required by R. S. 2294 (43 U. S. C. sec. 254) as amended and supplemented, and the regulations thereunder, to be taken in affidavit form before designated officers shall continue to be taken in that form before such officers. (See, 43 CFR 52.1; 65.23, 166.48, 232.30, 285.22 and 210.1)

Unsworn statements in public land matters are subject to section 35 (A) of the Criminal Code (35 Stat. 1095, 18 U. S. C. sec. 80), as amended.

(R. S. 453, 2478, 35 Stat. 1095, as amended; 43 U. S. C. 2, 1201; 18 U. S. C. 80)

MARION CLAWSON,
Director.

Approved: July 28, 1948.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 48-7210; Filed, Aug. 10, 1948;
8:46 a. m.]

[Circular 1690]

PART 221—RULES OF PRACTICE

ATTORNEYS AND AGENTS ACTING AS NOTARIES

Section 221.89a, Circular No. 1669, January 26, 1948, is amended to read as follows:

§ 221.89a *Attorneys and agents not disqualified to act as notaries in public land cases in which they may be interested.* In view of section 3 of the act of June 3, 1948 (Public Law 589, 80th Cong., 2d Sess.), attorneys and agents in public land cases who are also notaries public, are no longer disqualified under section 1-501 D. C. Code from taking acknowledgments, administering oaths, certifying papers or performing any official acts as notaries in such matters. (R. S. 453, 2478, 43 U. S. C. secs. 2, 1201)

MARION CLAWSON,
Director.

Approved: July 28, 1948.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 48-7211; Filed, Aug. 10, 1948;
8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

United States Coast Guard

[33 CFR, Parts 301, 302, 311, 312, 321, 331, 332; 46 CFR, Parts 10, 12, 28, 29, 37, 54, 59, 60, 76, 94, 113, 146, 1601]

[CGFR 48-36]

INSPECTION AND NAVIGATION REGULATIONS MERCHANT MARINE COUNCIL PUBLIC HEARING; NOTICE OF PROPOSED CHANGES

1. The Merchant Marine Council will hold a public hearing in Room 4120, Coast Guard Headquarters, 13th and E Streets NW., Washington, D. C., on September 28, 1948, and the agenda for this hearing is as follows:

(a) September 28, 9:30 a. m. Evidence of ownership of undocumented outboard motorboats.

Hydrostatic tests for pressure vessels. Piping systems.

Hydrochloric acid in bulk.

Pilot rules and boundary lines of inland waters.

(b) September 28, 2:00 p. m. Regulations for licensing radio officers for service on merchant vessels.

Officers on vessels in Hawaiian waters.

Evidence of citizenship for procurement of merchant mariner's documents and continuous discharge books.

Termination of approvals.

Specifications.

2. The proposed changes in the regulations together with the authorities for making such changes are generally described by subjects in paragraphs 4 to 28, inclusive, below. Copies of the proposed changes in the regulations have been mailed to persons and organizations who have expressed an active interest in the subject under consideration. Copies of any of the proposed regulations may be obtained from the Commandant (CMC), Coast Guard Headquarters, Washington 25, D. C., so long as they are available. After all extra copies available for distribution are exhausted, copies will be available for reading purposes only in Room 4104, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

3. Comments on the proposed changes in the regulations are requested which may be submitted in writing for receipt prior to September 28th by the Commandant (CMC), Coast Guard Headquarters, Washington 25, D. C., or presented orally or in writing at the hearing. In order to insure thorough consideration and to facilitate checking and recording of comments, it is requested that each reworded proposed regulation be submitted on a separate sheet of letter size paper showing the section number as given in the agenda (if not possible then the subject); the proposed changes; and the name, business firm (if any), and address of submitter. The written comments should be submitted as soon as possible so that they will be received prior to September 28th in order to in-

sure consideration at the hearing and before recommendations are made concerning the proposed regulations.

EVIDENCE OF OWNERSHIP OF UNDOCUMENTED VESSEL

4. It is proposed to amend the regulation in 46 CFR 29.16 by adding a new sentence which will exempt a builder of a vessel propelled by an outboard motor from submitting a builder's statement as proof of ownership prior to issuance of a certificate of award of number for an undocumented vessel.

5. The authority for regulations on numbering of undocumented vessels and requiring evidence of ownership of undocumented vessels is in 40 Stat. 602, as amended, 46 U. S. C. 288, and section 101 of Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

HYDROSTATIC TESTS FOR PRESSURE VESSELS AND PIPING SYSTEMS

6. It is proposed to amend the regulation in 46 CFR 54.01-40 (b) regarding hydrostatic tests by changing the requirements regarding hydrostatic testing of refrigeration systems so that they will be similar to those of the American Bureau of Shipping. Its effect will be to relax present Coast Guard requirements for refrigeration systems.

7. It is proposed to amend the regulation in 46 CFR 55.07-1 (c) and the written descriptions of Figures 55.07-15 (f12), 55.07-15 (f13), and 55.07-15 (f17) in 46 CFR 55.07-15 to clarify the temperature limitations and maximum pressures for piping systems using (a) furnace butt-welded iron or steel pipe, or (b) joint and flange connections for class II piping. As a result of the increased temperature limitation for class II piping, permitted by a recent revision of 46 CFR 55.04-1 for class I piping published in the FEDERAL REGISTER June 26, 1948, certain piping systems would now be permitted to be subjected to temperature in excess of the safe maximum temperature originally intended for that class of service. It is proposed to specify the maximum pressure and temperature in lieu of the class II piping limitation.

8. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, 4429-4434, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 407-412, 463a, 1333, 50 U. S. C. 1275; and sec. 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

HYDROCHLORIC ACID IN BULK

9. It is proposed to amend 46 CFR 146.23-13 regarding the transportation of hydrochloric acid in bulk. The present regulations covering the construction of fixed or integral tanks for the transportation of hydrochloric acid in bulk require that the tanks be constructed, tested and be otherwise in full accordance with Interstate Commerce Commission Specifications 103-B or 103-BW. The industry has petitioned the Coast Guard to consider amending the regulations so that consistent practices in the construction

of containers for the transportation of commercial acids in bulk will be allowed, since the requirements in 46 CFR 146.23-10, 146.23-10a, and 146.23-10b published in the FEDERAL REGISTER of June 26, 1948, covering tanks to be used for the transportation of sulfuric or spent acid in bulk are less than present requirements in 46 CFR 146.23-13 covering transportation of hydrochloric acid in bulk. It has been also requested that requirements for radiographic and stress relief tests in the construction of tanks used in the transportation of hydrochloric acid in bulk be eliminated.

10. The authority for regulations governing the transportation of explosives or other dangerous articles or substances and combustible liquids on board vessels is in R. S. 4472, as amended, and sec. 5 (e), 55 Stat. 244; 46 U. S. C. 170, 50 U. S. C. 1275; and sec. 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

PILOT RULES AND BOUNDARY LINES FOR INLAND WATERS

11. It is proposed to delete 33 CFR, Parts 301, 311, 321, and 331 from the Code because these parts are merely repetitions of the various statutory Rules of the Road for inland waters, Great Lakes, and western rivers, and as the statutes are written as regulations they have also caused confusion. However, both the statutory Rules of the Road and the Pilot Rules promulgated by the Commandant, United States Coast Guard, will be published as heretofore in the various Pilot Rules pamphlets distributed by the Coast Guard.

12. The regulations in 33 CFR 302.2, 302.65, 302.75, 302.85, 302.89, 302.90, and 302.100 are to be amended in order that the boundary lines of certain inland waters will be in agreement with Public Law 544 approved May 21, 1948. This law brings the application of the Inland Rules to certain waters which are now under the Western Rivers Rules. Therefore, it is necessary to make amendments to certain sections in Part 302 to redefine boundary lines in order to bring some of the rivers entering into the Gulf of Mexico within the application of the Inland Rules.

13. The regulations in 33 CFR 312.01, 312.13, 312.15, and 312.16 are to be amended in order that the Pilot Rules for Inland Waters will be in agreement with Public Law 544 approved May 21, 1948, and will apply to certain waters entering into the Gulf of Mexico which were previously subject to the Pilot Rules for Western Rivers.

14. The regulations in 33 CFR, Part 332, are being revised to implement Public Law 544, which includes a complete redraft of Navigation Rules for the Mississippi River and Mobile River systems. A number of the Pilot Rules which now appear in Part 332 were incorporated into the new statute and in order to avoid repetition it is proposed to delete those sections from the regulations.

15. The passage of Public Law 544, approved May 21, 1948, makes it nec-

essary that certain changes be made in the regulations effective as of January 1, 1949. This act provides that the Inland Rules of the Road shall be followed by all vessels upon the harbors, rivers, and other inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal, and the waters of the Mississippi River between its source and the Huey P. Long Bridge and all of its tributaries emptying thereinto and their tributaries, and that part of the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway, and the waters of the Mobile River above Choctaw Point and all of its tributaries, and the Red River of the North. Consequently it will be necessary to change boundary lines to bring certain waters within the application of the Inland Rules and to prescribe regulatory Pilot Rules which will implement the Statutory Rules of the Road for the Mississippi River and Mobile River systems.

16. The authority for regulations describing boundary lines of inland waters is section 2, 28 Stat. 672, 33 U. S. C. 151, as amended, and section 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875. The authority for regulatory Pilot Rules for certain inland waters and western rivers is section 2, 30 Stat. 102, 38 Stat. 381, R. S. 4405 and 4412, as amended, Public Law 544, 80th Congress, 2d Session, 33 U. S. C. 157, 46 U. S. C. 375, 381, and section 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

REGULATIONS FOR LICENSING OF RADIO OFFICERS

17. The passage of Public Law 525, 80th Congress, 2d Session, approved May 12, 1948, makes it necessary to promulgate regulations governing the licensing of radio operators by the Coast Guard. The provisions of Public Law 525 become effective April 1, 1949, and radio operators employed on and after this date must be licensed by the Coast Guard. It is proposed to add a new subpart 10.13 entitled "Licensing of Radio Officers" to 46 CFR, Part 10, as well as to amend regulations in 46 CFR 10.01-1, 12.02-11, 12.25-15, 131.2, and 131.4. These regulations are proposed to provide a comprehensive and adequate means of determining the qualifications an applicant must possess in order to be eligible for a license as radio officer on merchant vessels in accordance with the intent of Public Law 525 and to obtain its correct and uniform administration.

18. The authority for regulations on licensing of radio officers on merchant vessels is Public Law 525, 80th Congress, 2d Session, approved May 12, 1948, and section 101 of Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

OFFICERS ON VESSELS IN HAWAIIAN WATERS

19. It is proposed to amend 46 CFR 10.05-11 which will have the effect of placing applicants for licenses as master, mate, or pilot of vessels navigating exclusively in the Coast Guard District covering the Hawaiian Islands in the same category as applicants for licenses for other ocean or coastwise waters; and to amend 46 CFR 10.10-25 which will

have the effect of placing applicants for licenses as engineer of seagoing vessels propelled by internal combustion engines navigating exclusively in the Coast Guard District covering the Hawaiian Islands in the same category as applicants for licenses as engineers of motor vessels which are not restricted as to waters. These proposed changes will require each applicant in Hawaii to pass a written examination and in the case of an original license he must present a certificate from the United States Public Health Service attesting to competence in ship sanitation and first aid. In addition, each applicant will have to obtain the minimum sea service required for the type of license desired which may or may not be more than is presently required.

20. A notice of proposed changes in 46 CFR 10.05-11 and 10.10-25 was published in the FEDERAL REGISTER May 19, 1948, and a public hearing was held by the Commander, 14th Coast Guard District, on June 15, 1948, in Room 201, Federal Building, Honolulu, T. H., to consider all the comments, data, and views of persons having an interest in the professional requirements of masters, mates, pilots, or engineers of vessels operating exclusively in Hawaiian waters. All the comments, data, and views of persons submitted either in writing prior to the public hearing or presented orally or in writing at the hearing, as well as the comments and recommendations of the Commander, 14th Coast Guard District, will be reviewed and made a part of the record of the hearing conducted by the Merchant Marine Council when considering the proposed changes in 46 CFR 10.05-11 and 10.10-25.

21. The authority for regulations governing officers of vessels operating in Hawaiian waters is in R. S. 4405, 4417a, 4426, 4427, 4438, 4438a, 4439, 4440, 4441, 4442, sec. 2, 29 Stat. 188, 49 Stat. 1544, and sec. 5 (e), 55 Stat. 244, as amended, 46 U. S. C. 214, 224, 224a, 225, 226, 228, 229, 367, 375, 391a, 404, 405, 50 U. S. C. 1275, and section 101, Reorganization Plan No. 3 of 1946 (11 F. R. 7875).

EVIDENCE OF CITIZENSHIP OR NATIONALITY FOR PROCUREMENT OF MERCHANT MARINER'S DOCUMENTS AND CONTINUOUS DISCHARGE BOOKS

22. It is proposed to amend 46 CFR 12.02-13 and to add a new § 12.02-14 to require that all applicants for merchant mariner's documents and continuous discharge books shall be required to produce evidence of citizenship or nationality prior to issuance of such documents. The purpose of the amendments is to require submission of proof that the applicant is an alien or citizen of the United States and to place the requirements for citizens and aliens in separate sections for clarity. Heretofore the practice has been to place question marks on the document alongside the spaces titled "Place of Birth" and "Nationality" when the applicant could not produce evidence of citizenship or nationality. These question marks remained on the document until acceptable proof of citizenship or nationality was presented to the Coast Guard. During the time the document carried question marks, the holder

thereof could only be employed within the quota of noncitizens allowed in the crew of a vessel.

23. The authority for regulations regarding citizenship or nationality in sections 5, 7, and 302, 49 Stat. 1935, 1936, 1992, 46 U. S. C. 672a, 689, 1132, and section 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

TERMINATION OF APPROVALS

24. The termination of approvals granted to the Coale Muffler & Safety Valve Co. for their types S and M safety valves, which do not comply with the applicable regulations which became effective July 1, 1948, will be considered. Approval No. 162.001/57/0, Type S, Coale marine pop safety valve, Approval No. 162.001/58/0, Type M, Coale heavy duty marine pop safety valve, and Approval No. 162.001/59/0, Type M, Coale heavy duty marine pop safety valve, will be terminated and withdrawn from the approved list of safety valves. In the proposed termination of approval it is intended that any of these types of safety valve now in use on merchant vessels may be continued in service so long as they are in good and serviceable condition.

25. The authority for terminating these approvals is in R. S. 4405, 4417a, 4429-4433, and 4491, as amended, 49 Stat. 1544, 46 U. S. C. 367, 375, 391a, 407-411, 489, and section 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

SPECIFICATIONS

26. It is proposed to add a new subpart 162.015 entitled "Specification for Flame Arresters, Backfire (for carburetors) for Merchant Vessels and Motorboats" to 46 CFR, Part 162, which is in Subchapter Q—Specifications. This specification will cover the design and construction of backfire flame arresters of the type intended for installation on carburetor air intakes of internal combustion engines.

27. The regulations in 46 CFR 28.4-4, 28.4-5, 28.4-9, 28.4-10, 37.6-4, 37.6-5, 37.6-6, 37.7-1, 59.55, 60.48, 76.52, 94.52, 113.44, 160.002-1, 160.002-3, 160.002-5, are to be amended and new regulations as subparts 160.003 and 160.004 are to be added to Part 160 in Subchapter Q—Specifications. The proposed amendments and new regulations will transfer the specifications for cork and balsa wood life preservers from the various regulations to Subchapter Q—Specifications. The requirements are being changed to require orange color cloth for all life preservers, waterproofing of balsa wood blocks, and furnishing of necessary equipment to conduct tests. The specifications are primarily for manufacturers.

28. The authority for regulations regarding backfire flame arresters for merchant vessels and motorboats is in R. S. 4405, and 54 Stat. 163-167, as amended, 46 U. S. C. 375, 526-526t, and section 101, Reorganization Plan No. 3 of 1946. The authority for regulations regarding life preservers is in R. S. 4405, 4417a, 4426, 4482, 4488, 4491, 4492, section 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 163-167, 346, and section 5 (e), 55 Stat. 244, as amended, 46 U. S. C. 367, 375, 391a, 396, 404, 475, 481, 489, 490, 526-526t, 1333, 50

U. S. C. 1275, and section 101, Reorganization Plan No. 3 of 1946, 11 F. R. 7875.

Dated: August 3, 1948.

[SEAL] MERLIN O'NEILL,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 48-7234; Filed, Aug. 10, 1948;
8:56 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 52]

PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS¹

NOTICE OF PROPOSED RULE MAKING

Consideration is being given to the adoption of the proposed regulations set forth below in lieu of the existing regulations applicable to fruits and vegetables (grading and inspection) (7 CFR, Supps., 52.1 to 52.67, both inclusive). Such proposed action will be taken pursuant to the authority contained in the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., 2d Sess.).

All persons who desire to submit written data, views, or arguments in connection with this proposed revision of those regulations, shall file the same with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, South Building, United States Department of Agriculture, Washington 25, D. C., so that such will be received by him not later than 15 days after the publication of this notice in the *FEDERAL REGISTER*. Each such document shall be filed in duplicate. The relevant data, views, and arguments so presented will be considered in the final formulation and adoption of the revised regulations.

Such proposed revised regulations, which have been prepared in the United States Department of Agriculture, are as follows:

§ 52.1 *Administration of regulations.* The Administrator, Production and Marketing Administration, United States Department of Agriculture, is charged with the administration of the regulations in this part except that he may delegate any or all of such functions to any officer or employee of the Production and Marketing Administration of the Department, in his discretion.

DEFINITIONS

§ 52.2 *Meaning of words.* Words in the regulations in this part in the singular form shall be deemed to import the plural and vice versa, as the case may demand.

§ 52.3 *Terms defined.* For the purpose of the regulations in this part

¹ Among such other processed food products are the following: Honey; molasses, except for stock feed; nuts and nut products, except oil; sugar (cane, beet and maple); sirups (blended), sirups, except from grain; marine food products, except oil.

unless the context otherwise requires, the following terms shall have the following meanings:

(a) "Act" means the following provisions of the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., 2d Sess.), or any future act of Congress conferring similar authority:

Market inspection of farm products: For the investigation and certification, in one or more jurisdictions, to shippers and other interested parties of the class, quality, and condition of any agricultural commodity or food product, whether raw, dried, canned, or otherwise processed, and any product containing an agricultural commodity or derivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the services rendered.

And also:

Marketing farm products. For acquiring and diffusing among the people of the United States useful information relative to the needed supplies, standardization, classification, grading, preparation for market, handling, transportation, storage, and marketing of farm and food products, including the demonstration and promotion of the use of uniform standards of classification of American farm and food products throughout the world. * * *

(b) "Department" means the United States Department of Agriculture.

(c) "Secretary" means the Secretary of the Department or any other officer or employee of the Department authorized to exercise the powers and to perform the duties of the Secretary in respect to the matters covered by the regulations in this part.

(d) "Administrator" means the Administrator of the Production and Marketing Administration of the Department.

(e) "Person" means any individual, partnership, association, business trust, corporation, any organized group of persons (whether incorporated or not), the United States (including, but not limited to, any corporate agencies thereof), any State, county, or municipal government, any common carrier, and any authorized agent of any of the foregoing.

(f) "Interested party" means any person who has a financial interest in the commodity involved.

(g) "Applicant" means any interested party who requests inspection service hereunder.

(h) "Processed product" means any fruit, vegetable, or other food product covered under these regulations which has been preserved by any recognized commercial process, including, but not limited to, canning, freezing, dehydrating, drying, the addition of chemical substances, or by fermentation.

(i) "Inspector" means any employee of the Department authorized by the Secretary or any other person licensed by the Secretary to investigate, sample, inspect, and certify in accordance with the regulations in this part to any interested party the class, quality and condition of processed products covered in this part and to perform related duties in connection with the inspection service.

(j) "Licensed sampler" means any person who is authorized by the Secretary to draw samples of processed products for inspection service, to inspect for condition of containers in a lot, and may, when authorized by the Administrator, perform related services under the act and the regulations in this part.

(k) "Inspection service" means:

(1) The sampling pursuant to the regulations in this part;

(2) The determination pursuant to the regulations in this part of:

(i) Essential characteristics such as style, type, size, sirup density or identity of any processed product which differentiates between major groups of the same kind;

(ii) The class, quality and condition of any processed product, including the condition of the container thereof by the examination of appropriate samples;

(3) The issuance of any certificate of sampling, inspection certificates, or certificates of loading of a processed product, or any report relative to any of the foregoing; or

(4) Performance by an inspector of any related services such as assigning an inspector in a processing plant to observe the preparation of the product from its raw state through each step in the entire process, or observe conditions under which the product is being prepared, processed, and packed, or observe plant sanitation as a prerequisite to the inspection of the processed product, either on a continuous or periodic basis, or checkload the inspected processed product in connection with the marketing of the processed product.

(l) "Sampling" means the act of selecting samples of processed products for the purpose of inspection under the regulations in this part.

(m) "Sample" means a single container, a single portion of a container, any number of containers, or a composite mixture of a single type, style or size of a single commodity, packed in a single size of container, to be used for inspection.

(n) "Class" means a grade or rank of quality.

(o) "Quality" means the inherent properties of any processed product which determine the relative degree of excellence of such product, and includes the effects of preparation and processing, and may or may not include the effects of packing media, or added ingredients.

(p) "Condition" means the degree of soundness of the product which may affect its merchantability and includes, but is not limited to those factors which are subject to change as a result of age, improper preparation and processing, improper storage or improper handling.

(q) "Case" means the number of containers (cased or uncased) which, by the particular industry are ordinarily packed in a shipping container.

(r) "Lot" for the purpose of the regulations in this part means any number of containers of the same size and type containing a processed product of the same type or style offered for inspection by an interested party, except containers bearing an identification mark different from other containers and containing a

lower grade quality than the containers bearing the other marks, may be considered as a separate lot.

(s) "Officially drawn sample" means any sample that has been selected from a particular lot by an inspector, licensed sampler, or by any other person authorized by the Administrator pursuant to the regulations in this part.

(t) "Unofficially drawn sample" means any sample that has been selected by any person other than an inspector or licensed sampler, or any other person not authorized by the Administrator pursuant to the regulations in this part.

(u) "Certificate of sampling" means a statement, either written or printed, issued pursuant to the regulations in this part, identifying officially drawn samples and may include a description of condition of containers and the condition under which the processed product is stored.

(v) "Inspection certificate" means a statement, either written or printed, issued pursuant to the regulations in this part, setting forth in addition to appropriate descriptive information relative to a processed product, and the container thereof, the quality and condition of the product and may include a description of the conditions under which the product is stored.

(w) "Certificate of loading" means a statement, either written or printed, pursuant to the regulations in this part, relative to checkloading of a processed product subsequent to inspection thereof.

INSPECTION SERVICE

§ 52.4 *Where inspection service is offered.* Inspection service may be furnished wherever any inspector or licensed sampler is available and the facilities and conditions are satisfactory for the conduct of such service.

§ 52.5 *Who may obtain inspection service.* An application for inspection service may be made by any interested party, including, but not limited to, the United States and any instrumentality or agency thereof, any State, county, municipality, or common carrier, and any authorized agent in behalf of the foregoing.

§ 52.6 *How to make application.* An application for inspection service may be made to the office of inspection or to any inspector, at or nearest the place¹ where

¹ List of inspection offices:

- Atlanta 3, Ga.: 449 West Peachtree St., NE.
- Baltimore 2, Md.: 407 Appraisers Stores Bldg.
- Boston 10, Mass.: 725 Appraisers Stores Bldg.
- Cedar Rapids, Iowa: 201 Federal Bldg.
- Chicago 7, Ill.: 615 U. S. Customs Bldg., 610 South Canal St.
- Columbus 15, Ohio: 39 Old Federal Bldg.
- Detroit 9, Mich.: Room 36, Detroit Union Produce Terminal, 7201 West Fort St.
- Denver 2, Colo.: 553 U. S. Customhouse.
- Easton, Md.: 32 East Dover St.
- Fayetteville 5, Ark.: 320½ West Dickson St.
- Fresno 3, Calif.: 1630 La Salle Ave.
- Hammond, La.: Southeastern College Campus (P. O. Box 151).
- Los Angeles 15, Calif.: Room 351, Bendix Bldg., 1206 Maple Ave.
- Nashville 3, Tenn.: 326 11th Ave. N. (P. O. Box 1174).

the service is desired. Satisfactory proof that the applicant is an interested party, and satisfactory proof of the authority of any person applying for inspection service, shall be furnished.

§ 52.7 *Information required in connection with application.* Application for inspection service shall be made in the English language and may be made orally (in person or by telephone), in writing, or by telegraph. If an application for inspection service is made orally, such application shall be confirmed promptly in writing. In connection with each application for inspection service, there shall be furnished such information as may be necessary to perform an inspection on the processed product for which application for inspection is made, including but not limited to, the name of the product, name and address of the packer or plant where such product was packed, the location of the product, its lot or car number, codes or other identification marks, the number of containers, the type and size of the containers, the interest of the applicant in the product, whether the lot has been inspected previously to the application by any Federal agency and the purpose for which inspection is desired.

§ 52.8 *Filing of application.* An application for inspection service shall be regarded as filed only when made in accordance with the regulations in this part.

§ 52.9 *Record of filing time.* A record showing the date and hour when each application for inspection or for an appeal inspection is received shall be maintained.

§ 52.10 *When application may be rejected.* An application for inspection service may be rejected by the Administrator (a) for non-compliance by the applicant with the regulations in this part, or (b) when it appears that to perform the inspection service would not be to the best interests of the Government. Such applicant shall be promptly notified of the reason for such rejection.

§ 52.11 *When application may be withdrawn.* An application for inspection service may be withdrawn by the applicant at any time before the inspection

New York 14, N. Y.: Room 854, 641 Washington St.

Philadelphia 6, Pa.: 601 U. S. Customhouse, 2d and Chestnut Sts.

Portland 3, Maine: Room 18, U. S. Customhouse Bldg.

Portland 5, Oreg.: 312 U. S. Courthouse.

Richmond 19, Va.: 1030 State Office Bldg.

Ripon, Wis.: U. S. Post Office Bldg.

Rochester 4, N. Y.: 300 Terminal Bldg.

Salem, Oreg.: 977 Edgewater St.

Salt Lake City 1, Utah: B-45 State Capitol Bldg.

San Francisco 3, Calif.: Room 942, 821 Market St.

San Jose 10, Calif.: 52 Locust St.

Seattle 1, Wash.: 1917 1st Ave., Alaska Trade Bldg.

Stockton 22, Calif.: 1238 East Harding Way.

Washington 25, D. C.: 224 12th St. SW. (2d floor).

Winter Haven, Fla.: Old Postal Arcade Bldg., 326 Ave. D.

Weslaco, Tex.: 245 Texas Blvd.

Yakima, Wash.: 212 Liberty Bldg.

tion is performed: *Provided*, That, the applicant shall pay any travel expenses, telephone, telegraph or other expenses which have been incurred by the inspection service in connection with such application.

§ 52.12 *Disposition of inspected sample.* Any processed product sample that has been used for inspection may be returned to the applicant, at his request and expense; otherwise it shall be destroyed, or disposed of to a charitable institution.

§ 52.13 *Basis of inspection.* Inspection service shall be performed on the basis of the appropriate U. S. Standards for grades of processed products, Federal or Quartermaster Corps specifications, written buyer and seller contract specifications or any written specification by an applicant which is approved by the Administrator.

§ 52.14 *Order of inspection service.* Inspection service shall be performed, insofar as practicable, in the order in which applications therefor are made except that precedence may be given to any such applications which are made by the United States (including, but not being limited to, any instrumentality or agency thereof) and to any application for an appeal inspection.

§ 52.15 *Postponing inspection service.* If the inspector determines that it is not possible accurately to ascertain the quality or condition of a processed product immediately after processing because the product has not reached equilibrium in color, sirup density, or drained weight, or for any other substantial reason, he may postpone inspection service for such period as may be necessary.

§ 52.16 *Financial interest of inspector.* No inspector shall inspect any processed product in which he is directly or indirectly financially interested.

§ 52.17 *Forms of certificates.* Inspection certificates, certificates of sampling or loading, and other memoranda concerning inspection service shall be issued on forms approved by the Administrator.

§ 52.18 *Issuance of certificates.* (a) An inspection certificate may be issued only by an inspector: *Provided*, That another employee of the inspection service may sign any such certificate covering any processed product inspected by an inspector when given power of attorney by such inspector and authorized by the Administrator, to affix the inspector's signature to an inspection certificate which has been prepared in accordance with the facts set forth in the notes, made by the inspector, in connection with the inspection.

(b) A certificate of loading shall be issued and signed by the inspector or licensed sampler authorized to check the loading of a specific lot of processed products: *Provided*, That, another employee of the inspection service may sign such certificate of loading covering any processed product check loaded by an inspector or licensed sampler when given power of attorney by such inspector or licensed sampler and authorized by the

PROPOSED RULE MAKING

Administrator to affix the inspector's or licensed sampler's signature to a certificate of loading which has been prepared in accordance with the facts set forth in the notes made by the inspector or licensed sampler in connection with the checkloading of a specific lot of processed products.

§ 52.19 *Issuance of corrected certificates.* A corrected inspection certificate may be issued by the inspector who issued the original certificate after distribution of a certificate if errors, such as incorrect dates, code marks, grade statements, lot or car numbers, container sizes, net or drained weights, quantities, or errors in any other pertinent information require the issuance of a corrected certificate. Whenever a corrected certificate is issued, such certificate shall supersede the inspection certificate which was issued in error and the superseded certificate shall become null and void after the issuance of the corrected certificate.

§ 52.20 *Issuance of an inspection report in lieu of an inspection certificate.* A letter report in lieu of an inspection certificate, may be issued by an inspector when such action appears to be more suitable than an inspection certificate: *Provided, That, the issuance of such report is approved by the Administrator.*

§ 52.21 *Disposition of inspection certificates.* The original of any inspection certificate, issued under the regulations in this part, and not to exceed four copies thereof, if requested prior to issuance, shall be delivered or mailed promptly to the applicant, or person designated by the applicant. All other copies shall be filed in such manner as the Administrator may designate. Additional copies of any such certificate may be supplied to any interested party as provided in § 52.50.

§ 52.22 *Report of inspection results prior to issuance of formal report.* Upon request of any interested party, the results of an inspection may be telegraphed or telephoned to him, or to any other person designated by him, at his expense.

APPEAL INSPECTION

§ 52.23 *When appeal inspection may be requested.* An application for an appeal inspection may be made by any interested party who is dissatisfied with the results of an inspection as stated in an inspection certificate, if the lot of processed products can be positively identified by the inspection service as the lot from which officially drawn samples were previously inspected. Such application shall be made within thirty (30) days following the day on which the previous inspection was performed, except upon approval by the Administrator the time within which an application for appeal inspection may be made may be extended.

§ 52.24 *Where to file for an appeal inspection and information required.* (a) Application for an appeal inspection may be filed with:

(1) The inspector who issued the inspection certificate on which the appeal

covering the processed product is requested; or

(2) The inspector in charge of the office of inspection at or nearest the place where the processed product is located.

(b) The application for appeal inspection shall state the location of the lot of processed products and the reasons for the appeal; and date and serial number of the certificate covering inspection of the processed product on which the appeal is requested, and such application may be accompanied by a copy of the previous inspection certificate and any other information that may facilitate inspection. Such application may be made orally (in person or by telephone), in writing, or by telegraph. If made orally, written confirmation shall be made promptly.

§ 52.25 *When an application for an appeal inspection may be withdrawn.* An application for appeal inspection may be withdrawn by the applicant at any time before the appeal inspection is performed: *Provided, That, the applicant shall pay any travel expenses, telephone, telegraph, or other expenses which have been incurred by the inspection service in connection with such application.*

§ 52.26 *When appeal inspection may be refused.* An application for an appeal inspection may be refused if (a) the reasons for the appeal inspection are frivolous or not substantial; (b) the quality or condition of the processed product has undergone a material change since the inspection covering the processed product on which the appeal inspection is requested; (c) the lot in question is not, or cannot be made accessible for the selection of officially drawn samples; (d) the lot relative to which appeal inspection is requested cannot be positively identified by the inspector as the lot from which officially drawn samples were previously inspected; or (e) there is noncompliance with the regulations in this part. Such applicant shall be notified promptly of the reason for such refusal.

§ 52.27 *Who shall perform appeal inspection.* An appeal inspection shall be performed by an inspector or inspectors (other than the one from whose inspection the appeal is requested) authorized for this purpose by the Administrator and, whenever practical, such appeal inspection shall be conducted jointly by two such inspectors: *Provided, That, the inspector who made the inspection on which the appeal is requested may be authorized to draw the samples when another inspector or licensed sampler is not available in the area where the product is located.*

§ 52.28 *Appeal inspection certificate.* After an appeal inspection has been completed, an appeal inspection certificate shall be issued showing the results of such appeal inspection; and such certificate shall supersede the inspection certificate previously issued for the processed product involved. Each appeal inspection certificate shall clearly identify the number and date of the inspection certificate which it supersedes. The

superseded certificate shall become null and void upon the issuance of the appeal inspection certificate and shall no longer represent the quality or condition of the processed product described therein. The inspector or inspectors issuing an appeal inspection certificate shall forward notice of such issuance to such persons as he considers necessary to prevent misuse of the superseded certificate if the original and all copies of such superseded certificate have not previously been delivered to the inspector or inspectors issuing the appeal inspection certificate. The provisions in the regulations in this part concerning forms of certificates, issuance of certificates, and disposition of certificates shall apply to appeal inspection certificates, except that copies of such appeal inspection certificates shall be furnished all interested parties who received copies of the superseded certificate.

LICENSING OF SAMPLERS AND INSPECTORS

§ 52.29 *Who may become licensed sampler.* Any person possessing qualifications as determined by an examination for competency, given by the Administrator, may be licensed as a licensed sampler to draw samples for the purpose of inspection under the regulations in this part. Such a license shall bear the printed signature of the Secretary and shall be countersigned by an authorized employee of the Department. Licensed samplers shall have no authority to inspect processed products under the regulations in this part except as to condition of the containers in a lot. A licensed sampler shall perform his duties pursuant to these regulations as directed by the Administrator.

§ 52.30 *Application to become a licensed sampler.* Application to become a licensed sampler shall be made to the Administrator on forms furnished for that purpose. Each such application shall be executed and signed by the applicant in his own handwriting, and the information contained therein shall be verified by him under oath or affirmation administered by a notary public, and the application shall contain or be accompanied by:

(a) Satisfactory evidence that he has passed his twenty-first birthday;

(b) A statement showing his present and previous occupations, together with names of all employers for whom he has worked with periods of service during the last ten years previous to the date of his application;

(c) A statement that, in his capacity as a licensed sampler, he will not draw samples from any lot of processed products with respect to which he or his employer is an interested party;

(d) A statement by the applicant that he agrees to comply with all terms and conditions of the regulations in this part relating to duties of licensed samplers; and

(e) Such other information as may be required by the aforesaid Administrator.

§ 52.31 *Inspectors.* Inspections will ordinarily be performed by employees under the Administrator who are em-

played as Federal Government employees for that purpose. However, any person employed under any joint Federal-State inspection service arrangement may be licensed, if otherwise qualified, by the Secretary to make inspections in accordance with this part on such processed products as may be specified in his license. Such license shall be issued only in a case where the Administrator is satisfied that the particular person is qualified to perform adequately the inspection service for which such person is to be licensed. Each such license shall bear the printed signature of the Secretary and shall be countersigned by an authorized employee of the Department. An inspector shall perform his duties pursuant to the regulations in this part as directed by the Administrator.

§ 52.32 *Suspension or revocation of license of licensed sampler or licensed inspector.* Pending final action by the Secretary, the Administrator may, whenever he deems such action necessary, suspend the license of any licensed sampler, or licensed inspector, issued pursuant to the regulations in this part, by giving notice of such suspension to the respective licensee, accompanied by a statement of the reasons therefor. Within seven days after the receipt of the aforesaid notice and statement of reasons by such licensee, he may file an appeal, in writing, with the Secretary supported by any argument or evidence that he may wish to offer as to why his license should not be suspended or revoked. After the expiration of the aforesaid seven days period and consideration of such argument and evidence, the Secretary shall take such action as he deems appropriate with respect to such suspension or revocation.

§ 52.33 *Surrender of license.* Upon termination of his services as a licensed sampler or licensed inspector, or suspension or revocation of his license, such licensee shall surrender his license immediately to the office of inspection serving the area in which he is located. These same provisions shall apply in a case of an expired license.

SAMPLING

§ 52.34 *How samples are drawn by inspectors or licensed samplers.* An inspector or a licensed sampler shall select samples, upon request, from designated lots of processed products which are so placed as to permit thorough and proper sampling in accordance with the regulations in this part. Such person shall, unless otherwise directed by the Administrator, select samples of such products at random, and from various locations in each lot in such manner and number, not inconsistent with the regulations in this part, as to secure representative samples of the lot. Samples drawn for inspection shall be furnished by the applicant at no cost to the Department.

§ 52.35 *Accessibility for sampling.* Each applicant shall cause the processed products for which inspection is requested to be made accessible for proper sampling. Failure to make any lot accessible for proper sampling shall be

sufficient cause for postponing inspection service until such time as such lot is made accessible for proper sampling.

§ 52.36 *How officially drawn samples are to be identified.* Officially drawn samples shall be marked by the inspector or licensed sampler so such samples can be properly identified for inspection.

§ 52.37 *How samples are to be shipped.* Unless otherwise directed by the Administrator, samples which are to be shipped to any office of inspection shall be forwarded to the office of inspection serving the area in which the processed products from which the samples were drawn is located. Such samples shall be shipped in a manner

to avoid, if possible, any material change in the quality or condition of the sample of the processed product. All transportation charges in connection with such shipments of samples shall be at the expense of the applicant and wherever practicable, such charges shall be prepaid by him.

§ 52.38 *Sampling rates for officially drawn samples.* Unless otherwise directed by the Administrator, each inspector and each licensed sampler shall select from each lot not less than the number of samples indicated in the following applicable tables except as may be required otherwise by the provisions in § 52.34.

TABLE I—CANNED FRUITS AND VEGETABLES AND CANNED FRUIT AND VEGETABLE PRODUCTS AND OTHER CANNED PROCESSED PRODUCTS, SUCH AS PEANUT BUTTER, PICKLES, RELISHES, JAMS, JELLIES, MARMALADES, HONEY, MAPLE SIRUP AND CONCENTRATES

Size and type of container	Rate of sampling ¹
Any type of container not exceeding that of a No. 3 size can (404 x 414).	1 container for each 2,400 containers or fraction thereof.
Any type of container of a volume capacity exceeding that of a No. 3 size can (404 x 414) but not exceeding that of a No. 12 size can (603 x 812).	1 container for each 1,200 containers or fraction thereof.
Any type of container of a volume capacity exceeding that of a No. 12 size can (603 x 812).	One 8-ounce sample (approximate weight) for each 200 containers or fraction thereof.

¹ These are minimum rates and in no case shall less than two (2) samples be drawn from any one lot.

TABLE II—FROZEN FRUITS AND VEGETABLES

Size and type of container	Rate of sampling ¹
Any type of container of 1 pound or less net weight.	1 container for each 2,400 containers or fraction thereof.
Any type of container over 1 pound but less than 5 pounds, net weight.	1 container for each 1,600 containers or fraction thereof.
Any type of container of 5 pounds or more, but less than 10 pounds, net weight.	1 container for each 1,200 containers or fraction thereof.
Any type of container of 10 pounds or more, net weight.	One 1-pound sample (approximate weight) for each 4,000 pounds of the first 20,000 pounds, plus 1 additional 1-pound sample for each additional 8,000 pounds or fraction thereof in excess of 20,000 pounds.

¹ These are minimum rates and in no case shall less than two (2) samples be drawn from any one lot.

TABLE III—DRIED FRUITS

Size and type of container	Rate of sampling ¹
Any type of container not exceeding 3 pounds, net weight.	1 container for each 2,400 containers or fraction thereof.
Larger than 3 pounds but less than 25 pounds.	1 container for each 1,200 containers or fraction thereof.
25 pounds and larger-----	One 8-ounce sample (approximate weight) for each 3,000 pounds in the first 30,000 pounds, plus 1 additional similar sample for each additional 6,000 pounds or fraction thereof in excess of 30,000 pounds. In no case shall the total weight of the samples drawn be less than 100 ounces.

¹ These are minimum rates and in no case shall less than two (2) samples be drawn from any one lot.

TABLE IV—DEHYDRATED FRUITS AND VEGETABLES

Size and type of container	Rate of sampling ¹
Any type of container of 5 pounds or less net weight.	1 container for each 2,400 containers or fraction thereof.
Any type of container in excess of 5 pounds, net weight.	One 20-ounce (approximate weight) sample for each 4,000 pounds or fraction thereof.

¹ These are minimum rates and in no case shall less than two (2) samples be drawn from any one lot.

TABLE V—PROCESSED PRODUCTS NOT SPECIFICALLY LISTED IN ANY TABLE CONTAINED IN THIS SECTION

Size and type of container	Rate of sampling ¹
Any type of container irrespective of its size or volume capacity.	At a rate that will represent the lot as may be determined by the inspector.

¹ These are minimum rates and in no case shall less than two (2) samples be drawn from any one lot.

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§ 52.39 *Issuance of certificate of sampling.* Each inspector and each licensed sampler shall prepare and sign a certificate of sampling to cover the samples drawn by the respective person, except that an inspector who inspects the samples which he has drawn need not prepare a sampling certificate. One copy of each certificate of sampling prepared shall be retained by the inspector or licensed sampler (as the case may be) and the original and all other copies thereof shall be disposed of in accordance with the instructions of the Administrator.

§ 52.40 *Identification of lots sampled.* Each lot from which officially drawn samples are selected shall be marked in such manner as may be prescribed by the Administrator, if such lots do not otherwise possess suitable identification.

FEES AND CHARGES

§ 52.41 *Payment of fees and charges.* Fees and charges for any inspection service shall be paid by the interested party making the application for such service, in accordance with the applicable provisions of the regulations in this part and, if so required by the person in charge of the office of inspection serving the area where the services are to be performed, such fees and charges shall be paid in advance. All fees and charges for any inspection service performed pursuant to the regulations in this part shall be paid by check, draft, or money order payable to the Treasurer of the United States and remitted to the office of inspection serving the area in which the services are performed, within ten (10) days from the date of billing, unless otherwise specified in a contract between the applicant and the Administrator, in which latter event the contract provisions shall apply.

§ 52.42 *Schedule of fees.* (a) Unless otherwise provided for in a written agreement between the applicant and the Administrator, the fees to be charged and collected for any inspection service performed under the regulations in this part at the request of the United States, or any agency or instrumentality thereof, shall be at the rate of three (3) dollars per hour.

(b) Unless otherwise provided in the regulations in this part, the fees to be charged and collected for any inspection service performed under the regulations in this part shall be based on the applicable rates specified in this section as follows:

(1) *Canned fruits and vegetables and canned fruit and vegetable products and other canned processed products, such as peanut butter, pickles, relishes, jams, jellies, marmalades, honey, maple sirup, and concentrates.*

* The fees specified herein are exclusive of charges for such micro, chemical and certain other special analyses, other than salt, acid, catalase, peroxidase, soluble solids (by refrac.) or total solids (by refrac.), which may be requested by the applicant or required by the inspector to determine the quality or condition of the processed product.

Officially drawn samples¹

Each lot:	
Minimum fee for 600 cases or less.....	\$5.00
For each additional 200 cases, or fraction thereof, in excess of 600 cases.....	1.40

Unofficially drawn samples

Minimum fee.....	\$2.00
For more than 4 containers of any type of a volume capacity not in excess of that of a No. 3 size can (404 x 414), per container.....	.50
For more than 2 containers of any type of a volume capacity exceeding that of a No. 3 size can (404 x 414) but not exceeding that of a No. 12 size (603 x 812), per container.....	1.00

¹ Inspection of large quantities: When application is made for inspection of 20,000 cases or more of a single commodity of canned fruits and vegetables and canned fruit and vegetable products in containers of any type of a volume capacity not exceeding that of a No. 12 size (603 x 812) the fee shall be at the rate of \$1.20 for each 200 cases or fraction thereof: *Provided*, That, the commodity is available for inspection at any one place at any one time.

(2) *Frozen fruits and vegetables.*

Officially drawn samples

Each lot:	
Minimum fee for 10,000 pounds or less.....	\$5.00
For each additional 5,000 pounds, or fraction thereof, in excess of 10,000 pounds.....	1.75

Unofficially drawn samples

Minimum fee for a single sample.....	\$2.00
For each additional sample.....	1.00

(3) *Dried fruits.*

Officially drawn samples

Each lot:	
Minimum fee for 12,000 pounds or less.....	\$5.00
For each additional 2,000 pounds, or fraction thereof in excess of 12,000 pounds.....	.40

Unofficially drawn samples

Each sample.....	\$3.00
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(4) *Dehydrated fruits and vegetables.*

Officially drawn samples

Each lot:	
Minimum fee for 20,000 pounds or less.....	\$15.00
For each additional 2,000 pounds, or fraction thereof in excess of 20,000 pounds.....	1.50

Unofficially drawn samples

Minimum fee for 3 samples or less.....	\$7.50
For each additional sample in excess of 3 samples.....	2.50

(5) *Other processed products.* The fee to be charged and collected for the inspection of any processed product not included in subparagraphs (1), (2), (3) and (4) of this paragraph shall be at the rate of \$3.00 per hour for the time consumed by the inspector in making the inspection, including the time consumed in sampling by the inspector or licensed sampler: *Provided, however*, That fees for sampling time will not be assessed by

the office of inspection when such fees have been assessed and collected directly from the applicant by a licensed sampler.

§ 52.43 *Fees to be charged and collected for sampling when performed by a licensed sampler.* Such sampling fees as are specifically prescribed by the Administrator in connection with the licensing of the particular sampler (which fees are to be prescribed in the light of the sampling work to be performed by such sampler and other pertinent factors) may be assessed and collected by such licensed sampler directly from the applicant: *Provided*, That, if such licensed sampler is an employee of a State, the appropriate authority of that State may make the collection, or they may be assessed and collected by the office of inspection serving the area where the services are performed.

§ 52.44 *Inspection fees when charges for sampling have been collected by a licensed sampler.* For each lot of processed products from which samples have been drawn by a licensed sampler and with respect to which the sampling fee has been collected by the licensed sampler, the fee to be charged for the inspection shall be 60 percent of the fee provided in this part applicable to the respective processed product: *Provided*, That, if the fee charged for the inspection service is based on the hourly rate of charge, the fee shall be at the rate of three (3) dollars per hour prescribed in this part.

§ 52.45 *Inspection fees when charges for sampling have not been collected by a licensed sampler.* For each lot of processed products from which samples have been drawn by a licensed sampler, and with respect to which the sampling fee has not been collected by the licensed sampler, the fee to be charged for the inspection shall be 60 percent of the fee as prescribed in this part, plus a reasonable charge to cover the cost of sampling as may be determined by the Administrator: *Provided*, That, if the fee charged is based on the hourly rate, the fee shall be at the rate of three (3) dollars per hour prescribed in this part, plus a reasonable charge to cover the cost of sampling, as determined by the Administrator.

§ 52.46 *Fee for appeal inspection.* The fee to be charged for an appeal inspection shall be at the rates prescribed in this part for other inspection services: *Provided*, That, if the result of any appeal inspection made for any applicant, other than the United States or any agency or instrumentality thereof, discloses that a material error was made in the inspection on which the appeal is made, no inspection fee shall be assessed.

§ 52.47 *Charges for micro, chemical and certain other special analyses.* The following charges shall be made for micro, chemical and certain other special analyses when not included in the fee for inspection for class, quality or condition:

Type of analysis	For first analysis	For each additional analysis
<i>Micro, chemical, and certain other special analyses</i>		
Mold count.....	\$1.50	\$1.50
Worm larvae and insect fragment count.....	3.00	3.00
Fly egg and maggot count.....	3.00	3.00
Alcohol insoluble solids.....	3.00	2.00
Alcohol.....	2.00	2.00
Ascorbic acid (vitamin C).....	6.00	2.00
Ash.....	2.00	2.00
Ash, salt free.....	4.00	4.00
Ash, acid insoluble.....	4.00	4.00
Ash, water insoluble.....	4.00	4.00
Catalase.....	2.00	1.00
Crude fiber.....	10.00	5.00
Ether extract (crude fat).....	5.00	5.00
Fiber, green and wax bean.....	3.00	2.00
Iodine number.....	8.00	8.00
Moisture (air oven method).....	2.00	2.00
Moisture (vacuum oven method).....	2.00	2.00
Nitrogen.....	3.00	2.00
Non-volatile ether extract.....	6.00	6.00
Oil of lemon and orange extract (precipitation method).....	3.00	3.00
Oil of lemon extract with oil base (distillation method).....	4.00	4.00
Peroxidase.....	2.00	1.00
Phosphorus pentoxide (P ₂ O ₅).....	8.00	8.00
Phosphorus pentoxide (P ₂ O ₅) and aluminum trioxide (Al ₂ O ₃).....	15.00	15.00
Recoverable oil.....	2.00	2.00
Reducing sugars.....	6.00	6.00
Titration: citric, lactic, acetic, or fatty acids, sodium chloride.....	1.00	1.00
Starch or carbohydrates (direct hydrolysis).....	12.00	10.00
Carbohydrates (by difference).....	12.00	10.00
Sulphur dioxide (direct titration).....	3.00	1.00
Soluble solids (by Refrac.) ¹	2.00	1.00
Total solids (by Refrac.) ¹	2.00	1.00
Total solids (by drying).....	3.00	2.00
Vanillin and coumarin.....	10.00	10.00
Volatile and non-volatile ether extract.....	8.00	8.00
Water extract.....	4.00	4.00
Water insoluble, inorganic residue, examination for adulteration, and particle count.....	8.50	6.00

¹ Included in the fee for inspection service when class, quality, or condition also determined.

§ 52.48 When charges are to be based on hourly rate not otherwise provided for in this part. When inspection services or related services are rendered and formal certificates are not issued or when the services rendered are such that charges based upon the foregoing sections would be inadequate or inequitable, charges may be based on the time consumed by the inspector in performance of such inspection service at the rate of three (3) dollars per hour.

§ 52.49 Fees for score sheets. If the applicant for inspection service requests score sheets showing in detail the inspection of each container or sample inspected and listed thereon, such score sheets may be furnished by the inspector in charge of the office of inspection serving the area where the inspection was performed; and such applicant shall be charged at the rate of fifty cents for each twelve samples, or fraction thereof, inspected and listed on such score sheets.

§ 52.50 Fees for additional copies of inspection certificates. Additional copies of any inspection certificate other than those provided for in § 52.21, may be supplied to any interested party upon payment of a fee of \$1.50 for each set of three (3) or fewer copies.

§ 52.51 Travel and other expenses. Charges may be made to cover cost of travel and other expenses incurred by the inspection service in connection with the performance of any inspection service, including travel and other expenses

incurred in connection with any appeal inspection.

§ 52.52 Charges for inspection service on a contract basis. Irrespective of fees and charges prescribed in foregoing sections, the Administrator may enter into contracts with applicants to perform inspection service pursuant to the regulations in this part and other requirements as prescribed by the Administrator in such contract, and the charges for such inspection service provided in such contracts shall be on such basis as will reimburse the Production and Marketing Administration of the Department for the full cost of rendering such inspection service including an appropriate overhead charge to cover as nearly as practicable administrative overhead expenses as may be determined by the Administrator.

MISCELLANEOUS

§ 52.53 Fraud or misrepresentation. Any wilful misrepresentation or any deceptive or fraudulent practice found to be made or committed by any person in connection with:

(a) The making or filing of an application for any inspection service;

(b) The submission of samples for inspection;

(c) The use of any inspection report or any inspection certificate, or appeal inspection certificate issued under the regulations in this part;

(d) The use of the words "Packed under continuous inspection of the U. S. Department of Agriculture," any legend signifying that the product has been officially inspected, any statement of grade or words of similar import in the labeling or advertising of any processed product;

(e) The use of a facsimile form which simulates in whole or in part any official U. S. certificate for the purpose of purporting to evidence the U. S. grade of any processed product; or

(f) Any wilful violation of the regulations in this part or supplementary rules or instructions issued by the Administrator, may be deemed sufficient cause for debarring such person from any or all benefits of the act.

§ 52.54 Political activity. All inspectors and licensed samplers are forbidden, during the period of their respective appointments or licenses, to take an active part in political management or in political campaigns. Political activities in city, county, State, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, are prohibited. This applies to all appointees or licensees, including, but not being limited to, temporary and cooperative employees and employees on leave of absence with or without pay. Wilful violation of this section will constitute grounds for dismissal in the case of appointees and revocation of licenses in the case of licensees.

§ 52.55 Interfering with an inspector or licensed sampler. Any further benefits of the act may be denied any applicant or other interested party who either personally or through an agent or repre-

sentative interferes with or obstructs, by intimidation, threats, assault, or in any other manner, an inspector or licensed sampler in the performance of his duties.

§ 52.56 Compliance with other laws. None of the requirements in the regulations in this part shall excuse failure to comply with any Federal, State, county, or municipal laws applicable to the operation of food processing establishments and to processed food products.

§ 52.57 Identification. Each inspector and licensed sampler shall have in his possession at all times and present upon request, while on duty, the means of identification furnished by the Department to such person.

§ 52.58 Publication. Publication under the act and in this part shall be made in the FEDERAL REGISTER, the Service and Regulatory Announcements of the Department, and such other media as the Administrator may approve for the purpose.

It is contemplated that the regulations finally issued in this connection will be made effective promptly upon their issuance. Such action will be necessary to permit the prompt charging of increased fees to cover increased operational expenses resulting from the recent increase in Federal Government salaries and other cost increases. Delay in making such increases effective promptly would result in an increasing deficit in proportion to the length of the delay.

Issued at Washington, D. C., this 5th day of August 1948.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-7230; Filed, Aug. 10, 1948; 8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 31]

[Docket Nos. 8736, 8975]

ALLOCATION OF TELEVISION CHANNELS TO METROPOLITAN DISTRICTS IN THE UNITED STATES

ORDER CONTINUING ORAL ARGUMENT

In the matter of amendment of § 3.606 of the Commission's rules and regulations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of August 1948;

It is ordered on the Commission's own motion that the oral argument in the above-entitled proceedings presently scheduled for August 16, 1948, be continued to a date subsequently to be announced and that the time for filing briefs be extended to a date subsequently to be announced.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-7284; Filed, Aug. 10, 1948; 10:17 a. m.]

NOTICES

POST OFFICE DEPARTMENT

INTERNATIONAL MAILS

GIFT PARCELS TO GREECE

The Postal Administration of Greece has advised that the exemption from customs duty granted to certain articles sent in gift parcels, as announced by publication of a notice under the above caption in the FEDERAL REGISTER on June 10, 1948; (13 F. R. 3138), has been extended until August 31, 1948.

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-7215; Filed, Aug. 10, 1948;
8:47 a. m.]

INTERNATIONAL MAILS

GIFT PARCELS FOR GERMANY

The Department has received a report from Germany that many gift parcels from the United States prove to be undeliverable because the addresses are incomplete. In many cases, parcels show as destination a province or region of Germany such as Sachsen (Saxony), Bayern (Bavaria), Hessen, Holstein, or Thuringen, but the post office of destination is omitted. Parcels so addressed can not be delivered, and are turned over by the German authorities to charitable organizations, and neither the senders in the United States nor the addressees in Germany are aware of the disposal made of the gift shipments.

Accepting employees should exercise caution to see that the addresses of parcels for Germany include the name of the post office in all cases.

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-7213; Filed, Aug. 10, 1948;
8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 2111165]

NEVADA

CLASSIFICATION ORDER

JULY 30, 1948.

1. Pursuant to the authority delegated to me by the Secretary of the Interior by Order No. 2325 dated May 24, 1947 (43 CFR 4.275 (b) (3), 12 F. R. 3566), I hereby classify under the small tract act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. sec. 682a), as hereinafter indicated, the following described lands in the Carson City, Nevada, land district, embracing 651.58 acres:

SMALL TRACT CLASSIFICATION No. 152

NEVADA NO. 11

For Leasing for Business Sites

T. 32 S., R. 64 E., M. D. M.
Sec. 4, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, 5, lots 5 and 10.

For Leasing for Home Sites

T. 32 S., R. 64 E., M. D. M.
Sec. 4, lot 3, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$;
Sec. 5, lots 11 and 14,
Sec. 9, lots 3, 4, 5, 6 and 9, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

2. These lands are located in the southerly part of Clark County, Nevada, approximately 20 miles south of Searchlight, and 15 miles westerly of the site of the Davis Dam. U. S. Highway 95 extends in a north-south direction through the area for a distance of $4\frac{1}{4}$ miles.

3. Pursuant to § 257.9 of the Code of Federal Regulations (43 CFR part 257, Circ. 1647, May 27, 1947, and Circ. 1665, November 19, 1947), a preference right to a lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to 11:00 a. m. on June 4, 1946, and (b) are for the type of site for which the land subject thereunder has been classified. As to such applications, this order shall become effective upon the date on which it is signed.

4. As to the land not covered by the applications referred to in paragraph 3, this order shall not become effective to permit the leasing of such land under the small tract act of June 1, 1938, cited above, until 10:00 a. m. on October 1, 1948. At that time such land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications, petitions, location, or selection, as follows:

(a) *Ninety-day period for other preference right filings.* For a period of 90 days from 10:00 a. m. on October 1, 1948, to close of business on December 30, 1948, inclusive, to (1) application under the small tract act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747) as amended May 31, 1947 (61 Stat. 123, 43 U. S. C. sec. 279), and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement right and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed at 11:00 a. m. on June 4, 1946, or thereafter, up and including 10:00 a. m. on October 1, 1948, shall be treated as simultaneously filed.

(c) *Date for nonpreference right filings authorized by the public land laws.* Commencing at 10:00 a. m. on December 31, 1948, any of the land remaining unappropriated shall become subject to ap-

plications under the small tract act by the public generally.

(d) *Advance period for simultaneous nonpreference right filing.* Applications under the small tract act by the general public filed at 11:00 a. m. on June 4, 1946, or thereafter, up to and including 10:00 a. m. on December 31, 1948, shall be treated as simultaneously filed.

5. Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Other persons entitled to credit for service shall file evidence of their right to credit in accordance with 43 CFR 181.38 (Circ. 1588). Persons asserting preference rights through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

6. All applications referred to in paragraph 3 and 4, which shall be filed in the district office at Carson City, Nevada, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in part 257 of Title 43 of the Code of Federal Regulations.

7. Leases will be for a period of 5 years at an annual rental of \$5, for home sites, payable for the entire lease period in advance of the issuance of the lease. The rental for business sites will be in accordance with a schedule of graduated charges based on gross income, with a minimum charge of \$20, payable yearly in advance, the remainder, if any, to be paid within thirty days after each yearly anniversary of the lease.

8. The lands in lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 4 and lots 5 and 10, sec. 5, classified for business, will be leased in tracts of approximately $1\frac{1}{4}$ acres, each being approximately 165 by 330 feet, the longer dimension extending in an east-west direction, except in lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 4, in which it should extend north and south. The lands classified for home sites will be leased in units of approximately 330 by 330 feet. The tracts, whenever possible, must conform in description with the rectangular system of surveys as one compact unit.

9. Preference right leases referred to in paragraph 3 will be issued for the land described in the application, irrespective of the direction of the tract, provided the tract conforms or is made to conform to the area and dimensions specified above.

10. Where only one $1\frac{1}{4}$ -acre tract in a $2\frac{1}{2}$ -acre subdivision, mentioned in paragraph 8, is embraced in a preference right application, the Acting Manager is authorized to accept applications for the remaining $1\frac{1}{4}$ -tract extending in the same direction so as to fill out the subdivision, notwithstanding the direction

of the tract may be contrary to that specified in paragraph 8.

11. All inquiries relating to these lands shall be addressed to the Acting Manager, District Land Office, Carson City, Nevada.

MARION CLAWSON,
Director.

[F. R. Doc. 48-7219; Filed, Aug. 10, 1948;
8:47 a. m.]

[Misc. 31584]

CALIFORNIA

CLASSIFICATION ORDER

1. Pursuant to the authority delegated to me by the Secretary of the Interior by Order No. 2325 dated May 24, 1947 (43 CFR 4.275 (b) (3), 12 F. R. 3566), I hereby classify under the small tract act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. sec. 682a), as hereinafter indicated, the following described public lands in the Los Angeles, California, land district, embracing 1,308.22 acres:

SMALL TRACT CLASSIFICATION No. 156

CALIFORNIA NO. 64

For Leasing and Sale for All of the Purposes
Mentioned in the Act Except Business
Sites

T. 1 N., R. 5 E., S. B. M., California

Sec. 6, lots 1, 2, 3, 4, and 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$; 10, NE $\frac{1}{4}$; 22,
NE $\frac{1}{4}$ NE $\frac{1}{4}$; 26, all; 34, N $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$.

2. These lands are located along the western edge of the Mojave Desert and on the foothills of the San Bernardino Mountains, in San Bernardino County, California. They are immediately north of the Morongo Valley, and are a short distance west of the Twentynine Palms area where considerable small tract development has occurred.

3. Pursuant to § 257.9 of the Code of Federal Regulations (43 CFR part 257, Circ. 1647, May 27, 1947, and Circ. 1665, November 19, 1947), a preference right to a lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to 3:00 p. m. on March 24, 1948, and (b) are for the type of site for which the land subject thereunder has been classified. As to such applications, this order shall become effective upon the date on which it is signed.

4. As to the land not covered by the applications referred to in paragraph 3, this order shall not become effective to permit the leasing of such land under the small tract act of June 1, 1938, cited above, until 10:00 a. m. on October 1, 1948. At that time such land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications, petition, location, or selection, as follows:

(a) *Ninety-day period for other preference right filings.* For a period of 90 days from 10:00 a. m. on October 1, 1948, to close of business on December 30, 1948, inclusive, to (1) application under the small tract act of June 1, 1938, by qualified veterans of World War II, for whose

service recognition is granted by the act of September 27, 1944 (58 Stat. 747) as amended May 31, 1947 (61 Stat. 123, 43 U. S. C. sec. 279), and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement right and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed at 3:00 p. m. on March 24, 1948, or thereafter, up to and including 10:00 a. m. on October 1, 1948, shall be treated as simultaneously filed.

(c) *Date for nonpreference right filing authorized by the public land laws.* Commencing at 10:00 a. m. on December 31, 1948, any of the land remaining unappropriated shall become subject to application under the small tract act by the public generally.

(d) *Advance period for simultaneous nonpreference right filings.* Applications under the small tract act by the general public filed at 3:00 p. m. on March 24, 1948, or thereafter, up to and including 10:00 a. m. on December 31, 1948, shall be treated as simultaneously filed.

5. Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Other persons entitled to credit for service shall file evidence of their right to credit in accordance with 43 CFR 181.38 (Circ. 1588). Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

6. All applications referred to in paragraphs 3 and 4, which shall be filed in the district office at Los Angeles, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

7. Leases will be for a period of 5 years at an annual rental of \$5, payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised price of \$20 an acre, application for which may be filed at or after the expiration of one year from the date the lease was issued.

8. All of the lands will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimension extending east and west in sec. 24, and north and south in secs. 6, 10, 22, 26, and 34. The tracts,

whenever possible, must conform in description with the rectangular system of surveys as one compact unit; i. e., the N $\frac{1}{2}$ or the S $\frac{1}{2}$ of a quarter-quarter-section in sec. 24, and the E $\frac{1}{2}$ or the W $\frac{1}{2}$ of a quarter-quarter-section in the other sections herein mentioned.

9. Preference right leases referred to in paragraph 3 will be issued for the land described in the application, irrespective of the direction of the tract, provided the tract conforms or is made to conform to the area and dimensions specified above.

10. Where only one 5-acre tract in a 10-acre subdivision is embraced in a preference right application, the Acting Manager is authorized to accept applications for the remaining 5-acre tract extending in the same direction so as to fill out the subdivision, notwithstanding the direction of the tract may be contrary to that specified in paragraph 8.

11. All inquiries relating to these lands shall be addressed to the Acting Manager, District Land Office, Los Angeles 12, California.

MARION CLAWSON,
Director.

[F. R. Doc. 48-7220; Filed, Aug. 10, 1948;
8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

RALPH W. HOLLENBERG

NOTICE OF DESIGNATION

Notice is hereby given (1) that Ralph W. Hollenberg was duly appointed and served as Regional Director, Region IX, Farm Security Administration (Farmers Home Administration, following the abolition of that agency by the Farmers Home Administration Act of 1946 (60 Stat. 1062)) from February 24, 1944, until February 22, 1947, inclusive; and (2) that he was duly appointed and served as State Director of the Farmers Home Administration for the State of California, from February 23, 1947, to date, and will serve in that capacity until further notice.

(Order, Secretary of Agriculture, Oct. 14, 1946 (11 F. R. 12520))

[SEAL] S. P. LINDSEY, Jr.,
Acting Administrator,
Farmers Home Administration.

AUGUST 4, 1948.

[F. R. Doc. 48-7227; Filed, Aug. 10, 1948;
8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 821]

UNLOADING OF MACHINERY ON UNION PACIFIC R. R.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of August, A. D. 1948.

It appearing, that 1 car of machinery at Salt Lake City, Utah, on the Union Pacific Railroad, has been on hand for

an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered, That:*

(a) *Machinery at Salt Lake City, Utah, be unloaded.* The Union Pacific Railroad Company, its agents or employees, shall unload immediately CNW 44489, containing heavy machinery, now on hand at Salt Lake City, Utah, consigned Utah Welders.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges for the detention under load of any car specified in paragraph (a) of this order for the detention period commencing at 7:00 a. m., August 7, 1948, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify the Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-7232; Filed, Aug. 10, 1948; 8:50 a. m.]

[No. 30024]

TEXAS INTRASTATE RATES

NOTICE OF HEARING

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 15th day of July A. D. 1948.

It appearing, that a petition has been filed on behalf of the Abilene & Southern Railway Company and other common carriers by railroad operating to, from and between points in the State of Texas, averring that in Ex Parte No. 166, Increased Freight Rates, 1947, 269 I. C. C. 33 and 270 I. C. C. 81, the Commission authorized certain increases in interstate rates and charges throughout the United States, which were established October

13, 1947, and January 5 and 13, 1948, and that the Railroad Commission of Texas, by orders dated June 11 and 16, 1948, has refused to authorize or permit said petitioners to apply to the transportation in carloads, of asphalt, in tank cars; brick and other articles as named in Items Nos. 1480, 1500, 1520 and 1560 of Agent Dodge's tariff I. C. C. No. 688; cement; gravel, sand, crushed asphalt rock, crushed stone, crushed oyster shell dust, slag and other commodities named in Item 430 of Agent Dodge's tariff I. C. C. No. 649; iron ore to Houston, Texas; lignite; pulpwood; sulphuric acid, in tank cars; and material to be used in the construction of projects which are under contract by the Texas State Highway Department including, in addition to certain of the commodities hereinbefore specifically named, reinforcing steel, structural steel, lime, timber, piling, lumber and timber, asphaltic concrete mixes, caliche, natural limestone, rock asphalts, shell and iron ore, moving intrastate by railroad in Texas, increases in freight rates and charges corresponding to those approved for interstate application in the proceeding above cited;

It further appearing, that said petitioners allege that the intrastate rates and charges which they are required to maintain for the transportation of the aforesaid commodities moving intrastate by railroad in Texas as a result of such refusal by the Railroad Commission of Texas, cause undue and unreasonable advantage, preference, and prejudice as between persons and localities in intrastate commerce, on the one hand, and interstate commerce, on the other hand, and undue, unreasonable, and unjust discrimination, against interstate and foreign commerce;

And it further appearing, that the said petition brings in issue freight rates and charges made or imposed by authority of the State of Texas:

It is ordered, That in response to the said petition, an investigation be, and it is hereby, instituted, and that a hearing be held therein for the purpose of receiving evidence from the respondents hereinafter designated and any other persons interested to determine whether the rates and charges of the common carriers by railroad, or any of them, operating in the State of Texas for the intrastate transportation of the commodities referred to in the first paragraph of this order, made or imposed by authority of the State of Texas cause any undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum, or minimum, or maximum and minimum rates and charges, shall be prescribed to remove the unlawful advantage, preference, prejudice, or discrimination, if any, that may be found to exist;

It is further ordered, That all common carriers by railroad operating within the State of Texas subject to the jurisdiction of this Commission be, and they are hereby, made respondents to this pro-

ceeding; that a copy of this order be served upon each of the said respondents; and that the State of Texas be notified of this proceeding by sending copies of this order and of said petition by registered mail to the Governor of the said State and to the Railroad Commission of Texas at Austin, Texas;

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.;

And it is further ordered, That this proceeding be, and the same is hereby, assigned for hearing September 13, 1948, 9:30 a. m. U. S. standard time (or 9:30 a. m. local daylight saving time, if that time is observed), at the Stephen F. Austin Hotel, Austin, Texas, before Examiner Myron Witters.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-7231; Filed, Aug. 10, 1948; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-153]

CITIES SERVICE CO.

MEMORANDUM OPINION AND ORDER WITH RESPECT TO FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 4th day of August A. D. 1948.

On April 24, 1947, the Commission approved an Amended Plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by Cities Service Company ("Cities"), a registered holding company, for the simplification of its corporate structure.¹

In brief, the Amended Plan as approved by the Commission, provided for the retirement of approximately \$40,600,000 principal amount of Cities' 5% debentures outstanding in the principal amount of \$100,488,300 and the issuance by Cities of \$115,246,950 principal amount of 30-year 3% Sinking Fund Debentures in exchange for its three series of preferred stocks and arrears in an amount equivalent to the call price applicable to each series of such stocks.

The Commission in its findings, opinion and order dated April 24, 1947, approving the Amended Plan, reserved jurisdiction over the approval of all fees and expenses and other remunerations incurred and to be incurred in connection with the Plan and the consummation thereof. Subsequently, applications were filed setting forth the nature and extent of the services rendered for which fees and expenses have been requested. Public hearings were held with respect to such applications pursuant to the Commission's Or-

¹ Cities Service Company, — S. E. C. — (1947), Holding Company Act Release No. 7368.

der of March 19, 1947.³ Thereafter, amendments were filed by the preferred stockholders committee, its counsel, and by Joseph Nemerov requesting allowances

of fees and expenses in a reduced amount. The applications, as amended, request fees and expenses aggregating \$520,014.58, classified as follows:

	Fees	Expenses	Total
Fees and expenses of Cities:			
Legal:			
Frueauff, Burns, Ruch & Farrell, counsel	\$75,000.00	\$4,728.07	\$79,728.07
Beekman and Bogue, counsel	1,000.00		1,000.00
Alvord & Alvord, counsel	2,500.00	80.72	2,580.72
Total legal fees and expenses	78,500.00	4,808.79	83,308.79
Other professional services	10,333.18	2,159.91	12,493.09
Trustees, exchange agent, and redemption agent:			
Guaranty Trust Co. of New York, as trustee under 3 percent debenture indenture	40,500.00		40,500.00
The Chase National Bank of the City of New York as trustee and redemption agent re: 3 percent debentures and as exchange agent under the plan	103,316.55	32,791.06	136,107.61
	143,816.55	32,791.06	176,607.61
Printing			
		103,589.60	103,589.60
Mailing			
		41,290.77	41,290.77
Advertising			
		19,059.45	19,059.45
Miscellaneous disbursements			
		24,276.19	24,276.19
Total fees and expenses of Cities	232,649.73	227,975.77	460,625.50
Fees and expenses of others:			
Preferred stockholders committee:¹			
Arthur Richenthal, counsel, and Delson, Levin & Gordon, associate counsel	45,000.00	1,277.00	46,277.00
Reis and Chandler, Inc., analytical services	5,000.00	112.08	5,112.08
John J. Fitzgerald, chairman	1,000.00		1,000.00
Maurice P. Geller, committeeman	1,000.00		1,000.00
Renzo Falco, committeeman	1,000.00		1,000.00
Total fees and expenses of committee	53,000.00	1,389.08	54,389.08
Other legal fees:			
Joseph Nemerov, counsel for individual preferred stockholders ²	5,000.00		5,000.00
Total fees and expenses	290,649.73	229,364.85	520,014.58

¹ In their original filing and prior to amendment, the committee requested total fees and expenses aggregating \$167,405, consisting of the following amounts: Richenthal and Delson, Levin & Gordon, counsel, \$150,000 for fees and \$1,277 for expenses; Reis and Chandler, Inc., analytical services, \$7,500 for fees and \$128 for expenses; John J. Fitzgerald chairman, \$3,500; Maurice P. Geller, committeeman, \$2,500; Renzo Falco, committeeman, \$2,500.

² Prior to amendment, Nemerov requested a fee of \$25,000.

Cities has filed amendments to its application stating that it has no objection to an allowance of fees and expenses to the preferred stockholders committee and its counsel and to Nemerov on the basis of their amended applications. While Cities has indicated that it has no objection to the requested fees and expenses, as indicated above, we are nevertheless not relieved from the duty of determining whether the requests for allowances are reasonable and compensable out of the estate.

In passing on allowances for fees and expenses in section 11 (e) cases, the Commission has consistently held that compensation may be paid out of the estate only for such services as have contributed to the formulation of the plan finally adopted or to the defeat of a plan found to be unsatisfactory, or which have otherwise been beneficial to the estate.³

Initially, Cities filed a plan proposing, among other things, the elimination of its preferred stocks and arrears by exchanging new 3% debentures with a maturity of 50 years for its three series of preferred stocks in an amount equivalent to the stated value of the preferred stocks plus dividend arrears, aggregating \$108,361,950. In our Order of November 27, 1946, we raised, among other questions, the issue of whether the Plan afforded

fair and equitable treatment to the respective classes of stockholders of Cities.⁴ The Plan, as finally approved by us, contained provisions which differed from those filed in the original Plan as follows: (a) The term of the new 3% sinking fund debentures was reduced from 50 years to 30 years; (b) the principal amount of said debentures to be issued in exchange for the preferred stocks and arrears was increased from \$108,361,950 to \$115,246,950, which was equivalent to the aggregate of the call prices applicable to such stocks; (c) the indenture, under which the new sinking fund debentures were to be issued, was amended to include certain protective provisions for the benefit of the debenture holders; (d) a provision in the plan, as originally filed, conditioning the effectuation of the plan upon the delivery of consents by 60% or more of the aggregate stated value of the preferred stocks and the employment of solicitors to obtain such consents was eliminated.

The record shows that a preferred stockholders committee represented by Arthur Richenthal, as Counsel, and Delson, Levin & Gordon, as Associated Counsel, appeared in the proceeding to oppose the company's plan as originally filed. During the course of such opposition, Cities amended the principal provisions of the plan as set out above. The record further shows that the preferred stockholders committee was instrumental in bringing about important revisions of the plan. In the light of the

importance of these revisions to the security holders involved, we find that the services of the committee and its counsel were of benefit to the estate and that the amounts requested for fees and expenses by the committee and its counsel aggregating \$54,389.08 are reasonably commensurate with the benefits conferred and we shall approve the payment thereof.

Joseph Nemerov appeared in the proceeding on behalf of individual preferred stockholders raising initially certain objections to the plan as then filed. While his subsequent participation in developing these objections and the need for amending the plan was rather limited, it appears that his efforts on the whole were of some influence in bringing about the final result. We are of the opinion that the requested fee of \$5,000 constitutes reasonable compensation for Nemerov's services.

V. I. Zelov, a preferred stockholder, has requested an allowance of \$750 for fees and expenses. The record indicates that Zelov appeared on his own behalf at some of the hearings on the plan and examined one of the company's witnesses. The record further indicates that this limited participation produced no material contribution and we are unable to find that his services conferred any benefits upon the estate or the preferred stockholders which are compensable out of the estate. Accordingly, we deny his request for an allowance.

Counsel for the company has requested \$83,308.79 for fees and expenses. We have considered this request in the light of the complexities of the problems involved, the size of the estate, the work involved, the speed with which the reorganization was accomplished and the contributions and benefits conferred upon Cities. In the light of all these factors we conclude that these fees and expenses are not unreasonable. We have also considered the other fees and disbursements of Cities for which our approval is requested and note that there is included an amount of \$47,050 as estimated fees and expenses for service to be rendered in the future by the exchange agent and trustee under the 3% debenture indenture. Provided the payments for these future services do not exceed the estimate, we find that these fees and expenses are not unreasonable.

It is therefore ordered, That Cities pay the fees and expenses of the preferred stockholders committee and its counsel, as itemized herein, in the aggregate amount of \$54,389.08 and the fee of Joseph Nemerov in the amount of \$5,000.

It is further ordered, That the request of V. I. Zelov for an allowance of \$750 be, and it hereby is, denied.

It is further ordered, That jurisdiction heretofore reserved in our findings, opinion and order dated April 24, 1947, with respect to the reasonableness of all fees and expenses incurred by Cities in connection with the plan and the consummation thereof be, and the same is, hereby released

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-7222; Filed, Aug. 10, 1948; 8:48 a. m.]

³ Holding Company Act Release No. 7855.
⁴ The Laclede Gas Light Company, et al., — S. E. C. — (1947), Holding Company Act Release No. 7260; Columbia Gas & Electric Corporation, et al., — S. E. C. — (1944), Holding Company Act Release No. 5460.

⁴ Holding Company Act Release No. 7024.

WILLIAM MONROE LAYTON

ORDER FOR PROCEEDINGS AND NOTICE OF
HEARING ON REVOCATION AND SUSPENSION
OF REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 4th day of August 1948.

I. The Commission's public official files disclose that William Monroe Layton, a sole proprietorship, hereinafter referred to as registrant, is registered as a dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. Members of its staff have reported to the Commission information obtained as a result of an investigation of the registrant which tends to show that:

A. The registrant did not file with the Commission a report of his financial condition during the calendar years 1943, 1944, 1945, 1946 and 1947 as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by members of its staff as set forth in paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statements set forth in paragraph II hereof are true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That a hearing for the purpose of taking evidence on the questions set forth in paragraph IV hereof be held at 2:00 p. m. on September 10, 1948 at the Fort Worth office of the Securities and Exchange Commission located at 103 United States Courthouse, 10th and Lamar Streets, Fort Worth 2, Texas, before Allen MacCullen, Hearing Examiner. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before August 30, 1948. Upon completion of the taking of evidence in this matter, the hearing examiner shall prepare a recommended decision pursuant to Rule IX (b) of the rules of practice, unless such decision is waived.

This order and notice shall be served on registrant personally or by registered mail forthwith and published in the FEDERAL REGISTER in the manner prescribed

by the Federal Register Act not later than fifteen (15) days prior to September 10, 1948.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of that section delaying the effective date of any final Commission action.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-7221; Filed, Aug. 10, 1948;
8:48 a. m.]

MORRIS T. SITKOFF

MEMORANDUM OPINION AND ORDER
REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 5th day of August A. D. 1948.

Broker-dealer registration; grounds for revocation; injunction against the purchase or sale of securities. Where a registered dealer has been enjoined by a State court from engaging in the securities business as a broker or dealer and has consented to the entry of an order revoking his registration with this Commission, held, that revocation of registration is in the public interest.

Appearances: David Unterberg, of the New York Regional Office of the Commission, and Francis E. Gibbons, for the Division of Trading and Exchanges.

This is a proceeding to determine whether the registration of Morris T. Sitkoff as a dealer should be revoked pursuant to section 15 (b) of the Securities Exchange Act of 1934.¹

After appropriate notice a hearing was held. At the hearing there was introduced in evidence an "Answer and Consent to Revocation" executed by Sitkoff. In such answer and consent, registrant acknowledged receipt and service of adequate notice, waived the opportunity to be heard, admitted and acknowledged that he had been "enjoined by Justice Edward R. Koch of the Supreme Court of the State of New York, on or about April 28, 1948, from engaging in the business of broker or dealer in securities in any man-

¹ Section 15 (b) provides in pertinent part: "The Commission shall, after appropriate notice and opportunity for hearing, by order . . . revoke the registration of any broker or dealer if it finds that such . . . revocation is in the public interest and that . . . such broker or dealer whether prior or subsequent to becoming such . . . is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security . . ."

ner, within or from the State of New York," and that "the facts as set forth in the bill of complaint filed by the Attorney General's office before Justice Koch, which were the basis for the injunction issued by said judge on April 28, 1948, are true and correct," and consented to the entry of an order by this Commission revoking his registration as a dealer.

On the basis of the foregoing, we find that registrant is enjoined by a decree of the Supreme Court of the State of New York from engaging in or continuing conduct and practices in connection with the purchase or sale of securities and that revocation of his registration as a dealer is in the public interest.

It is therefore ordered, pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of Morris T. Sitkoff as a dealer be, and it hereby is, revoked.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-7223; Filed, Aug. 10, 1948;
8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11578]

AUGUST MAYER ET AL.

In re: August Mayer, plaintiff, vs. Minnie Latzke, et al., defendants. File No. D-28-4042; E. T. sec. 7028.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Mayer, and Erika Steinmann, formerly Erika Mayer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled: "August Mayer, Plaintiff, vs. Minnie Latzke, et al., Defendants, Cause No. 40 S 3582" in the Superior Court of Cook County, Illinois, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Joseph J. Jaros, Master in Chancery, acting under the judicial supervision of the Superior Court of Cook County, Illinois;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as

nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 2, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7236; Filed, Aug. 10, 1948;
8:56 a. m.]

[Vesting Order 11617]

ERICH LUFT ET AL.

In re: Stock owned by Erich Luft and others and debts owing to Margaret Grix and others. F-39-2217-D-1, F-28-23450-D-1, F-28-23451-D-1, F-28-23453-D-1, F-28-23454-D-1, F-28-23455-D-1, F-28-23452-D-1, F-28-23456-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the person whose names and last known addresses are listed below:

Erich Luft, Moerschinger, Berlin, Zehlendorf, Germany.

Marie Schutter, Baumschul Strasse 6, Kehl on Rhine, Germany.

Wilhelm Edmeier, Postfach 11, Wiesbaden, Germany.

Rosetta M. Guthrie, 34 Richard Wagner Strasse, Wiesbaden, Germany.

Katherine Stadtmiller, Michelbach, Bavaria, Unterfranken, Germany.

Margaret Grix, 21 Cauerstr., Charlottenburg, Germany.

Erich Heyse, 116 See Str., N 65, Berlin, Germany.

are residents of Germany and nationals of a designated enemy country (Germany);

2. That Haruji Yamamoto whose last known address is Mitsubishi Shoji Kaisha, Ltd., Metal Dept. Marunouchi, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

3. That the property described as follows: Four (4) shares of \$15.00 par value common (constituent) stock of the Niagara Hudson Power Corporation, 300 Erie Boulevard West, Syracuse, New York, a corporation organized under the laws of the State of New York, evidenced by the certificates listed below, registered in the names of the persons listed below in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares
Erich Luft.....	49521	1
Mrs. Marie Schutter.....	103506	8

together with all declared and unpaid dividends thereon, and all rights of exchange therefor,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Erich Luft and Mrs. Marie Schutter, the aforesaid nationals of a designated enemy country (Germany);

4. That the property described as follows: Thirty-six shares of \$10.00 par value common (consolidated) stock of the Niagara Hudson Power Corporation, 300 Erie Boulevard West, Syracuse, New York, a corporation organized under the laws of the State of New York, evidenced by the certificates listed below registered in the names of the persons listed below and in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares
Wilhelm Edmeier.....	35314	16
Rosetta M. Guthrie.....	69120	17
Miss Katherine Stadtmiller.....	59139	3

together with all declared and unpaid dividends thereon, and any rights of exchange therefor,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Wilhelm Edmeier, Rosetta M. Guthrie and Miss Katherine Stadtmiller, the aforesaid nationals of a designated enemy country (Germany);

5. That the property described as follows: Three (3) shares of \$10.00 par value common (consolidated) stock of Niagara Hudson Power Corporation, 300 Erie Boulevard West, Syracuse, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered 44412, and registered in the name of Haruji Yamamoto, together with all declared and unpaid dividends thereon, and any rights of exchange therefor,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Haruji Yamamoto, the aforesaid national of a designated enemy country (Japan);

6. That the property described as follows: That certain debt or other obligation owing to Erich Heyse, by the Niagara Hudson Power Corporation, 300 Erie Boulevard West, Syracuse, New York, in the amount of \$4.09, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account

of, or owing to, or which is evidence of ownership or control by, Erich Heyse, the aforesaid national of a designated enemy country (Germany);

7. That the property described as follows: That certain debt or other obligation owing to Mrs. Margaret Grix, by the Niagara Hudson Power Corporation, 300 Erie Boulevard West, Syracuse, New York, in the amount of \$5.67, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mrs. Margaret Grix, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

8. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

9. That to the extent that the person named in subparagraph 2 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7237; Filed, Aug. 10, 1948;
8:56 a. m.]

[Vesting Order 11668]

GERTRUDE B. E. HARMAN AND THERESA GLOCKL

In re: Debts owing to Gertrude B. E. Harman and Theresa Glockl. F-28-23990-C-1, F-28-25521-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gertrude B. E. Harman and Theresa Glockl, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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2. That the property described as follows: That certain debt or other obligation owing to Gertrude B. E. Harman by The Pennsylvania Railroad Company, 15 North 32nd Street, Philadelphia 4, Pennsylvania, arising out of death benefit payable under certificate of membership in the Relief Fund of Harry C. Harman, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Gertrude B. E. Harman, the aforesaid national of a designated enemy country (Germany);

3. That the property described as follows:

a. That certain debt or other obligation owing to Theresa Glockl, by The Pennsylvania Railroad Company, 15 North 32nd Street, Philadelphia 4, Pennsylvania, arising out of death benefit payable under certificate of membership in the Relief Fund of Michael Glockl, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of The Pennsylvania Railroad Employees Provident and Loan Association, 15 North 32nd Street, Philadelphia 4, Pennsylvania, in the amount of \$12.90 as of December 31, 1945, representing an amount standing in the account of Michael Glockl, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Theresa Glockl, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 19, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7238; Filed, Aug. 10, 1948; 8:56 a. m.]

[Vesting Order 11676]

MARIE E. BRECHT

In re: Estate of Marie E. Brecht, also known as Marie Elizabeth Brecht, deceased. File No. D-28-12262.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marie Wolf, Clementina Yoest, Heinrich Brecht, Johann Brecht, Heinrich Ullrich, Rudolph Neureuther, Ida Neureuther, Marie Muller, Elise Lenz, Emil Neureuther, Frieda Hagendorf, Heinrich Neureuther and Marie Brecht, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Marie E. Brecht, also known as Marie Elizabeth Brecht, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Stockton Savings and Loan Bank, Stockton, California, as executor, acting under the judicial supervision of the Superior Court of the State of California in and for the County of San Joaquin;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 22, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7239; Filed, Aug. 10, 1948; 8:56 a. m.]

[Vesting Order 11677]

MALVINE DOYLE

In re: Estate of Malvine Doyle, also known as Malvina Doyle and Malwina Doyle, deceased. File No. D-28-12395; E. T. sec. 16616.

Under the authority of the Trading With the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hermine Hippe, Ida Mueller and Frieda Schulz, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Malvine Doyle, also known as Malvina Doyle and Malwina Doyle, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by The Germany Society of the City of New York and Karl Kappler, as Executors, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 22, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7240; Filed, Aug. 10, 1948; 8:57 a. m.]

MAUI SHINBUN CO., LTD., ET AL.

[Vesting Order 11700]

In re: Stock in Maui Shinbun Co., Ltd., owned by Tadaki Araki and others. D-39-18674-D-1, F-39-6169-D-1, F-39-3130-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tadaki Araki, Renjo Hirozawa, Heijiro Ito, Umekichi Kinoshita, Motoichi Kobayashi, Akira Kutsunai, Unkai Mikami, Selichi Ohata, Tatsuki Tazoe, Koshiro Tofukuji, Teruo Toshiyuki, Elji Tsumura, Goichi Wakida, Hyakuichi Nakashima, Tomeki Ujimori and Ichiji Kaneishi, whose last known addresses are Japan, are residents of Japan and na-

nationals of a designated enemy country (Japan);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Katsuiichi Fukunaga, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the property described as follows:

a. Six hundred forty-eight (648) shares of \$1 par value common capital stock of Maui Shinbun Co., Ltd., Wailuku, Maui, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by the certificates numbered, and registered in the names listed below, in the amounts appearing opposite each name:

Registered owner	Certificate No.	Number of shares	OAP file No.
Tadaki Araki.....	59	10	F-39-6168-D-1.
Renjo Hirozawa.....	172	15	F-39-6170-D-1.
Umekichi Kinoshita.....	67	10	F-39-2636-D-1.
Akira Kutsunai.....	173	10	F-39-6171-D-1.
Unkai Mikami.....	150	10	F-39-5908-D-1.
Seiichi Ohata.....	11	205	D-39-17885-D-1.
Tatsuki Tazoe.....	245	5	F-39-6172-D-1.
Koshiro Tofukufu.....	283	300	D-39-430-D-2.
Teruo Toshiyuki.....	104	10	F-39-6173-D-1.
Eiji Tsumura.....	70	3	D-39-16909-D-1.
Goichi Wakida.....	163	25	F-39-6174-D-1.
Hyakueichi Nakashima.....	113	20	F-39-6175-D-1.
Tomeki Ujimori.....	231	25	F-39-1681-D-2.

together with all declared and unpaid dividends thereon, and

b. Seventy (70) shares of \$1 par value common capital stock of the aforesaid Maui Shinbun Co., Ltd., consisting of fifty (50) shares registered in the name of Motoichi Kobayashi, ten (10) shares registered in the name of Heijiro Ito, and ten (10) shares registered in the name of Ichiji Kaneishi, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons named in subparagraph 1 hereof, the aforesaid nationals of a designated enemy country (Japan);

4. That the property described as follows: Fifteen (15) shares of \$1 par value common capital stock of Maui Shinbun Co., Ltd., Wailuku, Maui, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificate Number 58, registered in the name of Katsuiichi Fukunaga, deceased, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Katsuiichi Fukunaga, deceased, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of

kin, legatees and distributees of Katsuiichi Fukunaga, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 22, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7241; Filed, Aug. 10, 1948; 8:57 a. m.]

[Vesting Order 11708]

TAICHI OKADA

In re: Debt owing to Taichi Okada. F-39-6096-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Taichi Okada, whose last known address is Waki-mura, Kuga-gun, Yamaguchi-ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Taichi Okada, by Honolulu Rapid Transit Company, Limited, 1140 Alapai Street, Honolulu, T. H., in the amount of \$3,806.21, as of October 22, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, ad-

ministered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7242; Filed, Aug. 10, 1948; 8:57 a. m.]

[Vesting Order 11760]

ELIZABETH HOFMEYER

In re: Estate of Elizabeth Hofmeyer, also known as Elise Hofmeyer and Elisa Hofmeyer, deceased. File No. D-28-12225; E. T. sec. 16446.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johan Hofmayer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the estate of Elizabeth Hofmeyer, also known as Elise Hofmeyer and Elisa Hofmeyer, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Francis J. Mulligan, Public Administrator of New York County, as Administrator, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 29, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-7243; Filed, Aug. 10, 1948; 8:57 a. m.]

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